

Appendix K: Comment Letters Received During Scoping Process

People and organizations that sent comment letters:

- The Bay Institute of San Francisco, Gary Bobker
- Jeff Borland
- Sasha Borland
- CA Department of Food and Agriculture, Steve Shaffer
- California Waterfowl, Mark Hennelly
- Colusa County Economic Development Corporation, William R. Waite
- Colusa County, County Administrative Office, David J. Shoemaker
- John and Nita Connelly
- Walter Cook
- DeltaKeeper, Bill Jennings
- Friends of the River, Steven L. Evans
- John Garino and Janice Garino
- Kenneth Gilmore
- Haskell Environmental Research Studies Center, Brenda Brandon
- Mary Anne Houx, Supervisor Third District
- K. Maurice Johannessen
- Bill Jones, Secretary of State
- Kern County Water Agency, Thomas N. Clark
- Metropolitan Water District of Southern California, Timothy H. Quinn
- John S. Mills
- John L. Morton
- Northern California Power Agency, Jane Cirrincione
- Edward Owens
- Redding Electric Utility, James C. Feider
- Richard Riolo
- Sacramento Municipal Utility District, Paul Olmstead
- Sacramento River Preservation Trust, John Merz
- Brent Shanahan
- Shasta County Board of Supervisors, Patricia A. "Trish" Clarke
- State Water Contractors, John C. Coburn
- U.S. Department of Interior, Bureau of Indian Affairs, Amy L. Clutschke (sp?)
- U.S. Environmental Protection Agency, Laura Fujii
- Tyrone Wolatt



Celebrating 20 years of protecting and restoring the
Bay-Delta-Rivers ecosystem, from the Sierra to the sea.

by fax and by mail

January 25, 2002

Scott Woodland
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

RE: NORTH OF THE DELTA OFFSTREAM STORAGE

Dear Mr. Woodland,

This letter represents the comments of the Bay Institute regarding the Notice of Preparation (NOP) of an Environmental Impact Report/Statement (EIR/S) for the development of offstream water storage north of the Sacramento/San Joaquin Delta.

Tiering of environmental documentation

The NOP states that since this EIR/S will be tiered from the CALFED Programmatic EIS/R, the scope of alternatives will be limited to issues directly associated with water storage located north of the Delta. We are concerned that the EIR/S may rely on estimated benefits of water use efficiency, water transfers and groundwater storage contained in the CALFED Programmatic EIR/S (PEIR/S).

The Bay Institute was deeply involved in the development of the CALFED Water Use Efficiency Program; we know from our experience that CALFED's success in this area was based on using a flexible and adaptive outcome-based approach rather than resolving disagreements over the potential yield of implementing new water use efficiency management measures. In short, CALFED's estimates of potential water use efficiency yield are neither reliable nor in and of themselves significant to the design and success of the Water Use Efficiency Program.

The CALFED Record of Decision acknowledges this when it states (p. 64) that given the uncertainties of implementing [the Water Use Efficiency Program] it will be appropriate to carefully evaluate the ongoing progress of the Program

as it gets off the ground. Further, at the end of the first four years of Stage 1, CALFED Agencies may increase or reduce the targeted conservation goals to reflect actual implementation experience, redirect investments and/or introduce new programs as necessary and appropriate.

These caveats apply equally to the potential yield and availability of water from water transfers and groundwater storage. Estimated benefits of these three alternative water management options contained in the CALFED PEIR/S should not be used as the sole basis for designing alternatives to north of Delta offstream storage. Additional analysis is required, and new information incorporated as it becomes available.

With regard to groundwater storage, it is unclear whether the CALFED Integrated Storage Investigations groundwater/conjunctive use program will generate sufficient information in and of itself to meet the needs of the proposed EIR/S. DWR should consider whether the scope and resources of the ISI program need to be augmented in order to provide additional data to the EIR/S preparers for developing and evaluating potential groundwater storage and conjunctive use alternatives.

Potential environmental effects

Offstream water storage north of the Delta is likely to cause significant adverse impacts on the abundance and distribution of endangered species and habitats at the storage site. Diversion of a significant percentage of the flow of the Sacramento River, especially during critical winter and springtime periods, is also likely to cause significant adverse impacts to fluvial geomorphic processes, river flows, floodplain inundation and estuarine habitat conditions on the mainstem Sacramento River, the Delta and San Francisco Bay. The EIS/R should fully evaluate how the alternatives considered will affect the attainment of all relevant ecosystem protection and restoration objectives, including but not limited to those contained in the following documents:

- The narrative salmon protection objective contained in the 1995 Bay-Delta Water Quality Plan.
- The recovery targets and recommended actions contained in the Delta Native Fishes Recovery Plan.
- The ecosystem restoration objectives, targets and actions for all ecological zones of the Sacramento Valley, the Delta, Suisun Bay, and San Francisco Bay, contained in the CALFED Ecosystem Restoration Program Plan (CALFED Final Programmatic EIS/R, July 2000).

Scott Woodland
January 25, 2002
Page 3

- The Sacramento River and Delta habitat protection objectives contained in the Anadromous Fish Restoration Plan and related documents pursuant to the Central Valley Project Improvement Act.

DWR should defer to the CALFED Science Program and the CALFED Ecosystem Restoration Program for guidance on determining potential environmental effects, defining thresholds for significant effects, and evaluating avoidance and mitigation strategies.

Thank you for considering our comments. If you have any questions, please call me at (415) 506-0150.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gary Bobker', with a stylized flourish at the end.

Gary Bobker
Program Director

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double-sided printing.
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Jeff Borland
Orland, Ca. 95963

Scott Woodland
Senior Engineer
(916) 651-9289

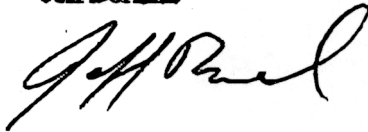
Dear Mr. Woodland:

I live and work on a ranch in the area of the proposed Thomas-Newville dam. I work on the land every day. The land is beautiful, but brittle. It is easily affected by any changes in the natural environment. Construction of the dam would have a devastating impact on the environment and animal/fish habitat, which could not be fully cured.

I oppose the building of the Thomas-Newville dam.

Yours truly,

Jeff Borland

A handwritten signature in black ink, appearing to read "Jeff Borland", written in a cursive style.

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double-sided printing.
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Sasha Borland
Orland, Ca. 95963

Gavin Woodland
Senior Engineer
(916) 651-9289

Dear Mr. Woodland:

I am a mother and housewife. I am raising my two small children just under the base of the proposed Thomas-Newville dam. My ancestors are buried in the Newville cemetery which will be flooded out by the dam. The cemetery is historic, containing the remains of James Kendrick, among many others. The only road will be underwater, requiring a new road cutting our historic ranch in half. That ranch has had only 3 owners since 1852, including James Kendrick. The Tehama County Recorder's Office only began keeping records in 1854! The house in which I live is the original James Kendrick house built in 1854. It has two-foot stone walls and hand-blown glass windows, the originals! This house would be torn down as part of a new, replacement road.

I strongly oppose the building of Thomas-Newville dam.

Sincerely,

Sasha Borland

A handwritten signature in black ink that reads "Sasha Borland". The script is cursive and fluid, with the first name "Sasha" and last name "Borland" clearly legible.

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double-sided printing.
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DEPARTMENT OF FOOD AND AGRICULTURE

WILLIAM (BILL) J. LYONS, JR., Secretary

1220 N Street, Room 452
Sacramento, CA 95814
(916) 653-5658
Fax: (916) 657-5017



December 6, 2001

Mr. Scott Woodland
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94296-0001

Subject: Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the
North of Delta Offstream Storage (CALFED) – **SCH #2001112009**

Dear Mr. Woodland:

The California Department of Food and Agriculture (Department) has reviewed the NOP for the referenced CALFED project. The Department is responsible for the protection and promotion of California agriculture. We offer the following recommendations for the DEIR with respect to potential project impacts on agricultural resources.

Project Setting

The DEIR should describe the project and project setting in enough detail to allow an assessment of project impacts on agricultural land and water, including:

1. A description of alternative water conveyance systems and routes of each alternative reservoir site;
2. A description of the agricultural land quality of the alternative project sites and conveyance routes, based on the California Department of Conservation's Important Farmland Map definitions, Williamson Act definitions, or the U.S. Department of Agriculture's Land Capability Classifications;
3. A characterization of agricultural crop production and land uses in the area of each of the project alternative sites and conveyance configurations, including crop type, yield and sales values;
4. Sources of water supplies serving agricultural uses in the project's alternative areas; and,
5. Sources of water to be used to fill the proposed alternative off-stream storage facilities; i.e., will water be diverted from the Sacramento River during high flows when there will be little impact on agricultural water users, during high water use months, or both?

Mr. Scott Woodland
December 7, 2001
Page Two

Project Impacts

The DEIR should assess the comparative significance of impacts on agricultural land of each project alternative using the California Land Evaluation and Site Assessment (LESA) model suggested in CEQA and its guidelines. In addition, the DEIR should address the following potential impacts for each project alternative:

1. Loss of agricultural land by agricultural land category (e.g., Prime Farmland, grazing land, etc.) due to the reservoirs as well as alternative conveyance system routes;
2. Impacts of water diversion for reservoirs on current agricultural water supplies; and,
3. Impacts of project on future agricultural water supplies in terms of quantity, quality and reliability.

Cumulative Impacts

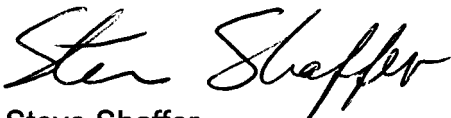
1. Cumulative impacts of project on water supplies; and,
2. Cumulative impacts of project on agricultural land conversion in agricultural region of the project; i.e., how does the project contribute to past, current and foreseeable conversions of cultivated farmland or high quality grazing lands on the west side of the Sacramento Valley?

Mitigation Measures

Mitigation measures that would avoid, lessen or offset the impacts of the project on agricultural land and water resources and uses should be considered in the DEIR.

Thank you for the opportunity to comment on the project's NOP. If we can be of assistance in addressing any of the issues raised in this letter, please call me at (916) 653-5658.

Sincerely,



Steve Shaffer
Director, Office of Agriculture and Environmental Policy



February 6, 2002

Conserving California's waterfowl, wetlands, and waterfowling heritage.

Scott Woodland
Department of Water Resources' Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

RE: Scoping Comments on the North of the Delta Offstream Storage Program

Dear Mr. Woodland:

Thank you for the opportunity to comment on the North of Delta Offstream Storage Program.

The California Waterfowl Association (CWA) supports the development of new, off-stream water storage facilities in northern California, including the proposed Sites Reservoir. Such facilities will not only help to prevent devastating flooding to agricultural communities in the Sacramento Valley, which occurred all too frequently in the 1990s, but also increase the State's overall supply of water. This is critical considering projected long-term demand for water resources in California, including supplies necessary to fulfill *offstream* environmental water needs. In particular, additional developed water supplies will be needed for California's ongoing wetland restoration and enhancement efforts.

California has lost over 90% of its historic, naturally occurring wetlands. Due to permanent changes to the State's hydrology, we must today artificially irrigate much of our remaining wetland habitat base. Essentially, wetland conservationists depend on developed water supplies to annually fulfill the habitat needs of nesting and wintering waterfowl, as well as numerous other wetland-dependent species—many of which are also threatened and endangered. In fact, over half of all listed species are, in some way, wetland dependent. New reservoir storage will not only serve the growing water needs of private wetlands in the Central Valley (which constitute a significant portion of our overall habitat base), but also help ensure that wetland water supply requirements called for in the federal Central Valley Project Improvement Act for public refuges and other lands are fulfilled.



**California
Waterfowl
Association**

4630 Northgate Blvd.
Suite 150
Sacramento, CA 95834

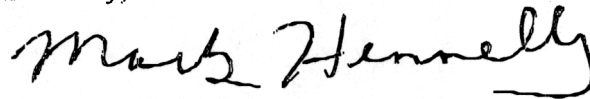
TEL: (916) 648-1406
FAX: (916) 648-1665

CWA also strongly urges the Department of Water Resources, U.S. Bureau of Reclamation, and other public agencies to maximize hunting opportunities, particularly for waterfowl, on their reservoirs within California. Unfortunately, hunting opportunities continue to be lost throughout the State. In particular, fees for hunting on private land are high, while costs for joining a high-quality, private club can be prohibitive for most sportsmen. Other key factors, such as the continued loss of habitat and farmland, as well as the steady rise in political clout of urban areas, have recently combined to further restrict hunting activities here.

Nevertheless, it is important to note the substantial contribution that hunters continue to make to wildlife conservation through self-imposed taxes, per the federal Pittman-Roberston Act, and stamp and license fees. Concerned hunters and other sportsmen also conduct countless fundraising events each year specifically to protect habitat and restore wildlife populations. In addition, revenues generated by hunting benefit the U.S. economy. A recent report by the U.S. Fish and Wildlife Service (USFWS) entitled *Banking on Nature: The Economic Benefits to Local Communities of National Wildlife Refuge (NWR) Visitation* found that NWR visitor spending—much of which is driven by hunters—generated \$401.1 million in sales at the local level. Furthermore, a separate 1996 USFWS study found that hunting generates 704,600 jobs in the U.S., representing almost 1% of the entire civilian labor force and contributing \$22.1 billion annually to the national economy. By providing new venues for hunting on public reservoirs, state and federal agencies will help to ensure that these critical monies continue to flow.

CWA looks forward to working with you to help fulfill critical environmental water needs for wetlands and waterfowl habitat, as well as to create new, much-needed recreational opportunities for California's hunting community.

Sincerely,



Mark Hennelly, Deputy Director
Government Affairs

Cc: The Hon. Doug Ose, U.S. House of Representatives
The Hon. Dick Dickerson, California State Assembly
The Hon. Keith Hansen, Glenn County Board of Supervisors
The Hon. Forrest Sprague, Glenn County Board of Supervisors
The Hon. Bill Waite, Colusa County Board of Supervisors
David Guy, Northern California Water Association
Van Tenney, Glenn-Colusa Irrigation District

Economic Development Corporation

2880 Niagara Avenue
(530) 458-3028

(800) 440-3465

P.O. Box 1077
FAX (530) 458-5080

Colusa, California 95932
www.colusacountyedc.org

January 21, 2002

Mr. Scott D Woodland P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, California 94236-0001

Dear Mr. Woodland:

The Colusa County Economic Development Corporation Board of Directors does hereby endorse the need for offstream storage and the development of the Sites Reservoir Project and/or Colusa Reservoir Project. At their regular scheduled monthly meeting the Board unanimously recommended that we submit comments to the Department of Water Resources on this important project for the Sacramento Valley and the State of California.

Additional comments that arose during the Boards' discussion were as follows:

1. The need for a complete and detailed study of the transportation routes to and from the community of Stonyford and Century Ranch. These communities will grow in coming years at a much faster rate than in the past, therefore we feel that all developing transportation routes should reflect a greater need in the near future than at present. The Board believes that the major access route should be in Colusa County and lead to the City of Maxwell. Other transportation routes to access recreational sites should also be planned to accommodate a large number of visitors due to the close proximity to major population areas in the northern portion of our state.
2. Recreational facilities should be developed to their fullest extent at the reservoir. The growth in population in Upstate California, Sacramento and San Francisco will create additional demand for state recreational areas. The development of these recreation sites should be guaranteed and they should be maintained by the California State Parks system.
3. The effect of rising ground water levels should be carefully studied. Colusa and Glenn Counties are now and always will be agricultural based economies. Rising ground water could effect the land adjacent to the foothills and the crops grown in the western portion of the valley. Any negative effect could damage our county economies.

Again, we would like to express our endorsement for this important offstream storage project. If there are any question please contact me at the above location.

Sincerely,



William R. Waite
Chairmen

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double-sided printing.
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COLUSA COUNTY
COUNTY ADMINISTRATIVE OFFICE

DAVID J. SHOEMAKER

County Administrator

Personnel Director

Purchasing Agent

520 Market Street, Suite 3

Colusa, California 95932

(530)458-0423

(530)458-0425 fax

January 23, 2002

Mr. Scott Woodland

Department of Water Resources

Division of Planning and local Assistance

Post Office Box 942836

Sacramento, California 94236-0001

Dear Mr. Woodland:

Thank you for the public forum which you recently held on the, North of the Delta Offstream Storage Project, in Colusa County. It was very informative and helpful for the members of this county to hear and be heard on a topic which will bring such great changes to our area.

Enclosed, you will find a listing of the issues and concerns of the Colusa County Board of Supervisors, their constituents and the various Departments within the county. It is our hope that this information will be helpful to you and your committee as it moves ahead with this project.

Yours truly,



David J. Shoemaker, CAO

Enclosures: 1

ala

North Delta Off Stream Storage – Issues – 1/22/02

Fiscal -

Loss of Colusa County agricultural land – contact Bob Alvernaz 473-2259
Potential for recreation activities surrounding the proposed Sites Reservoir
Work related income for Colusa County during course of construction of project.
Potential ancillary and auxiliary economic development in Colusa County.
Potential tourism income for Colusa County.
With influx of tourists and new home owners, the branches of the Colusa County library in Stonyford and Maxwell would need to grow. These are the two fastest growing libraries in the county. However, increased sales tax revenue and/or impact fees from construction could be beneficial.
Encourage our local policy makers to insure that recreational aspects are fully considered in the overall plan and that local merchants are able to successfully compete for concessions.
Staff time will be needed to provide environmental analyses and updating the land use documents to provide for the Sites Reservoir. Extensive, drawn out public hearings. Meetings and communications with environmentalists, stakeholders, members of the public and other, must be allotted appropriate time in any time study analysis of costs.

Farming –

Any water diversions from the Sacramento River, at all, would impact farming.
Incentives for our farmers to install electric pumps and eliminate conventional fuel type engines at pumping stations. This would decrease air pollution.

Environmental –

Flooding -

Mitigation of Colusa County main open flood potential and Sacramento River flood potential downstream of Sites Reservoir outlet pumps.

Ground water –

What would be the level in western Colusa County for ag and domestic wells.
Potential source of ag and domestic irrigation water in Colusa County.
As in all off-stream storage facilities, exhaustive geological and engineering studies need to be completed to ensue that private property owners in the vicinity, or down-stream from the reservoir, are not negatively impacted through changes in the depth of the water table or other conditions that might affect their ability to farm.
It would be good to negotiate a portion of the 1.9 million acre feet of water to remain in Colusa County, the county of origin.

Endangered Species –

Potential habitat for endangered species in this part of California. The Sites Reservoir could be home for aquatic or amphibian animals.

Roads –

The quality of roads to be developed around the lake for deliveries to the Stonyford area.

It will be necessary to relocate a portion of the Sites-Lodoga Road. The preferred route of relocation would be to the south side of the lake and tie into the existing County Road in the area of Howard Creek or Leesville-Lodoga Road. This will increase the length by 4 miles which will be added to the County maintained mileage system and will eventually result in increased maintenance costs.

Political –

Potential for political partnerships and liaisons with purchasers and users of Sites Reservoir water.

Consider a Joint Powers Agreement or some type of agreement to assure ourselves of a vote, or at least a say, in who gets excess water and especially its destination.

Some type of an agreement that gives a return to our county's residents on power rates.

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double-sided printing.
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Scott Woodland
Senior Engineer
(916) 651-9289

Dear Mr. Woodland:

Our family owns the Quiet Hills Ranch. The ranch contains some of the oldest structures in Tehama County, if not in fact the very oldest. The required road replacement and relocation would not only separate the main house from the balance of the ranch, but would also result in the destruction of the historic James Kendrick residence built in 1854.

My family ancestors are buried in the Newville cemetery. A stone commemorates my great-grandfather who graduated from the very first law school class of the University of California, served on the Board of Regents, nominated a candidate for President of the United States at the Chicago convention. On the day of his death, the entire court system in San Francisco closed early in his honor.

The equally famous James Kendrick is buried in that cemetery. Mr. Kendrick was a central figure in the establishment of California as a State in 1850.

That historic cemetery would be underwater if the Thomes-Newville dam were built.

The migration route of a significant California deer herd would be destroyed. Irreplaceable cultural resources would be lost. The impact on fish, salamanders and other aquatic species would be devastating.

We strongly oppose construction of the Thomes-Newville dam.

Sincerely,

Nita Connelly


John Connelly

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double-sided printing.
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**WALTER COOK
Attorney at Law (Ret.)
42 Northwood Commons
Chico, CA 95973-7214**

Tel: 530/345-5474
Fax 530/345-5474
Wcmc95@aol.com

January 24, 2002

Scott Woodland
Department Of water Resources
Division Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Via Fax: 916/651-9289 *we*

Re: Scoping: Sites Reservoir Study

Dear Scott Woodland:

**FOLLOWING ARE MY SCOPING COMMENTS CONCERNING MATTERS THAT
SHOULD BE THOROUGHLY STUDIED AS A PREREQUISITE TO ANY DECISION TO
CONSTRUCT OR NOT CONSTRUCT THE SITES RESERVOIR:**

- 1 The ultimate users of the water to be stored must be clearly identified, including the water quantities and proportion of the stored water to be supplied to each category of user.
2. The amount of the project financial costs and maintenance to be paid by the users, both as initial capital, and annual water usage, must be clearly identified.
- 3 The amount of initial and ongoing funding to be supplied by the federal government and by the State and local governments, must also be clearly identified
4. The study should determine the economic and other impacts of the reservoir on the existing residents that will need to be relocated by the reservoir.
5. The study should also determine the economic and other impacts on the loss of land productivity, tax base, business, and improvements, which will result from the reservoir.
6. The study must determine whether substantial and mandatory water conservation requirements on all the prospective users of the stored water need to be required as a condition of use, as well as the extent to which such conservation will negate the need for the reservoir.
7. Eliminating water deliveries for water intensive crops, such as rice, should be considered as an alternative to the reservoir.
8. The environmental and other impacts of modification in the flow regimes of the Sacramento River, must be considered, including the reduction in winter flows,

and the increase in summer flows which will be occasioned by the operation of the reservoir.

9. Any environmental, economic and other impacts on all downstream needs for Sacramento River water at the various times of the year must be considered.
10. The earthquake potential for the area of the reservoir, as well as other areas which might be impacted by the reservoir, must be thoroughly studied.
11. Any adverse impacts of the project on Sacramento River anadromous fish must be thoroughly studied.
12. It must be determined whether prospective water deliveries will be made to Southern California as part of the State Water Plan, and whether stored water at Sites reservoir will free up other water to be used to enhance increased development and sprawl in the California deserts.
13. Will more responsible growth in California, including concentrated development and water conservation obviate the need for additional water to be stored at Sites.
14. Of course, all adverse environmental impacts must be considered, including impacts on fish, wildlife, vegetation, as well as air and water quality.
15. All adverse cumulative project impacts, including those resulting from other existing and proposed reservoirs, water flow and delivery modifications, water needs and uses in the Sacramento and San Joaquin Rivers and their tributaries and watersheds, and also including the Central Valley and the Delta.

Yours truly



WALTER COOK

Note: This letter as first faxed contained the date 1/24/01, rather than the correct date of 1/24/02. WC. The letter with the correct date was sent be followup fax on 1/24/02, WC. *we*

DeltaKeeper

A PROJECT OF SAN FRANCISCO BAYKEEPER

15 February 2002

Scott D. Woodland
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

Re: Scoping comments for the North of Delta Offstream Storage EIS/EIR

Dear Mr. Woodland:

DeltaKeeper, WaterKeepers Northern California and the California Sportfishing Protection Alliance share and incorporate by reference the scoping comments for the North of Delta Offstream Storage EIS/EIR submitted by Friends of the River.

Please include us on any lists receiving information concerning the proposed projects and provide a copy of the draft EIR/EIS when it becomes available. Thank You.

Sincerely,



Bill Jennings
DeltaKeeper

Chairman, California Sportfishing Protection Alliance
3536 Rainier Avenue
Stockton, CA 95204
Tel: 209-464-5090
Fax: 209-464-5174
E-mail: deltakeep@aol.com

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FRIENDS
OF THE
RIVER

Steven L. Evans
Conservation Director
Friends of the River
915 20th Street
Sacramento, CA 95814
(916) 442-3155, Ext. 221

January 25, 2002

Mr. Scott D. Woodland
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

Re: **Scoping comments for the North of Delta Offstream Storage EIS/EIR**

Dear Mr. Woodland:

Thank you for soliciting public scoping comments for the North of Delta Storage EIS/EIR. Our comments are arranged in various subsections below.

The Basics

The EIS/EIR should provide some very basic, but as yet unavailable or unreliable information, concerning offstream storage. This basic information includes:

- How much real water will be reliably produced?
- At what cost?
- Who will receive the water?
- Who will pay?

Potential uses of water from offstream storage – environment, agriculture, urban – often conflict with each other. In fact, the potential uses in any specific category may also conflict. Sacramento Valley farmers compete for water with San Joaquin Valley farmers. The list of downstream cities interested in increasing their water supplies is more than the potential yield, raising questions of priority and need. For example, offstream storage during the winter could adversely impact salmon smolt escapement while improving Delta water quality in the summer.

Current yield estimates for offstream storage do not take into consideration likely diversion constraints required to protect the environment. Obviously the less water the project can divert, the more costly the water that is reliably produced. The NRDC already estimates that water from the Sites project could cost as high as \$450/acre foot. This estimate is far beyond the price agriculture can afford, and it may be too high for the taxpayers to pay for environmental uses. Although cities may afford water at \$450/acre foot, there may be other more competitive alternatives available.

Basic CALFED principles, including "no redirected impacts" and "beneficiaries pay," can be used to help answer these questions. The EIS/EIR should clearly delineate how much water is reliably produced, at what cost, who will receive the water, and who will pay. Project costs and water costs must take into account environmental constraints as well as mitigation costs.

Cost Sharing

Depending on its size, the Sites project could cost taxpayers as much as \$450 to \$820 million to build. Diversion facilities, pumping plants, as well as new and/or expanded canals could cost taxpayers another \$50 to \$400 million to build. These estimates do not include interest or the cost of environmental mitigation. Through the year 2002, the California Department of Water Resources will spend nearly \$25 million for its on-going studies of the Sites project.

A basic CALFED principal is that those who receive benefits shall pay for the benefits. Local irrigation districts in the Sacramento Valley are the most likely beneficiaries of the Sites project. And yet, no local funding has been provided for Sites studies. There is currently no cost sharing agreement between the State and local water interests to ensure that direct beneficiaries contribute monetarily to either studies or the construction of the project.

As recently as ten years ago, the Glenn-Colusa Irrigation District looked at the Sites project and chose not to pursue the project on due to high costs. But local interest in the project remains high, apparently as long as public funds remain available. Obviously the total cost of the project, and the cost of the water produced, is pertinent to who receives the water. Determination of project feasibility in the EIS/EIR should consider who can and is willing to cost share.

Alternatives

The range of alternatives considered in the NOI/NOP is inadequate. They basically are limited to storage or no storage. The Other Possible Alternatives section is particularly weak, since it apparently includes only increased storage in Shasta reservoir and conjunctive use. NEPA and CEQA, as well as Section 404 of the Clean Water Act, require consideration of real and feasible alternatives. The EIS/EIR should consider aggressive groundwater storage, mandatory efficiency and conservation programs in the project service area, mandatory measurement of water and pricing based on amount used, land fallowing, and transition to less water intensive crops. The potential

high cost of the project may make even expensive alternatives such as desalinization competitive. All these alternatives should be fully considered in the EIS/EIR.

Offstream Storage Diversions

Significant water diversions from the Sacramento River would be required to fill moderate to large offstream storage reservoirs in the western Sacramento Valley. These diversions could result in substantial adverse impacts on the river ecosystem.

The Sacramento River ecosystem remains relatively healthy because it is one of the few major rivers in California that still retains most of its water and some of its natural hydrology. According to CALFED, water diversions have reduced flows in the Sacramento River by 35%, as compared to the 80% reduction in flows experienced by the highly degraded San Joaquin River. As a consequence, the Sacramento River still sustains all five native runs of salmon and steelhead (although several of these runs are in decline), and supports healthy but significantly reduced riparian habitat utilized by many sensitive, threatened, and endangered terrestrial species.

Offstream diversions from the Sacramento River will reduce high flows, which are necessary to sustain the erosion and deposition processes that support and recreate the river's riparian and aquatic habitats. Maintaining this "meandering" river ecosystem is a major goal of CALFED's ecosystem restoration program. One CALFED white paper suggests that maintaining high flows over 55,000 cubic feet per second (cfs) may be needed to sustain river meander. But little is currently known about this important ecological mechanism and additional studies are required to definitively identify the specific flows needed to sustain the ecosystem.

The ecological impacts of diversions at lower flows must also be considered. Current computer modeling is based on the assumption that any flow over a minimum fish flow of 3,000 cfs may be diverted to fill the reservoir. Use of this diversion threshold can significantly reduce moderate to low flows in the river. For example, one diversion scenario would reduce the average monthly flow of the Sacramento River as little as 14% during the month of January, but as much as 67% during the month of April.

March and April is a critical time of the year in the riparian habitat regeneration cycle. During this month, the first line of new riparian vegetation is established along the river's high water mark. As flow declines through this period, new lines of vegetation are established, creating a varied and multi-aged habitat that supports the diverse needs of numerous species and responds with elasticity to the river's dynamic energy. Diversions to offstream storage during spring months could seriously impact this ecological process, with significant impacts on the long term health and maintenance of the river's overall riparian ecosystem.

Although offstream storage diversions have been repeatedly characterized as 5,000 cfs, the source and amount diverted varies significantly in the flow models considered to date. DWR's most recent North of Delta Progress Report (July 2000) displays 35 diversion scenarios, which include the use of existing and new diversions from the Sacramento River; new diversions from Thomas Creek, Stony Creek, and the Colusa

Basin Drain; as well as direct diversions from existing reservoirs on Stony Creek. The total amount of these diversions range from 3,000 to 8,000 cfs.

Each diversion scenario impacts various segments of the Sacramento River and its tributaries in different ways, but the cumulative impact is the removal of a 3,000 to 8,000 cfs of flow from the system at specific times, including ultimately the lower Sacramento River, the Delta, and San Francisco Bay.

Diversion impacts to the Sacramento River's riparian habitat and river meander should be quantified in the EIS/EIR. Diversion impacts on all segments of the Sacramento Rivers, its tributaries, the Sacramento-San Joaquin Delta, and San Francisco Bay must also be quantified. Instream flow studies using accepted methodologies should be conducted for all affected streams, including the Sacramento River, Thomes Creek, and Stony Creek.

Diversion Facilities

Diversions to fill the offstream storage could utilize existing facilities, including the Red Bluff diversion dam and the Glenn-Colusa Irrigation District's diversion facility, and/or new diversion facilities. Millions of dollars of public and private funds have been invested to make these existing diversion facilities more fish friendly. But in general, fish biologists believe that all diversion facilities – even the most fish friendly – have some adverse impact on migrating and resident fish species. The impact of increased diversions at existing facilities on sensitive, threatened, and endangered salmon and steelhead stocks should be quantified in the EIS/EIR.

Various locations for a new diversion facility are under consideration. One way to avoid or reduce flow reduction impacts on river meander is to build a new diversion facility sufficiently downstream to avoid the segment of the river upstream of the flood control levee system. New diversion sites apparently under consideration include one downstream of Chico Landing and another near Moulton weir. However, the impact of a new diversion within the levee segment on migrating and resident fish species remains an important factor because downstream sites increase the number of distinct salmonid populations that are impacted. For example, a new diversion at Moulton Weir could impact all Sacramento system runs except Butte Creek and Feather River stocks. While use of existing facilities at Red Bluff could avoid impacts on all tributary stocks located downstream. The impacts of all potential diversion facilities should be quantified and compared in the EIS/EIR.

Use of existing and/or new diversion facilities require the establishment of so called "hard points" using rock riprap or concrete that prevents river meander and erosion/deposition of suitable spawning gravels. In addition, hard points provide less suitable habitat for young salmonids than naturally eroded banks. The total impact of bank protection associated with diversion sites should be quantified in the EIS/EIR.

Use of existing and/or new diversion facilities would require construction of new canals and possible expansion of existing canals to connect the diversion facilities to the Sites reservoir. The environmental impact of new and expanded canals depends on their location and should be quantified in the EIS/EIR.

Reservoir Impacts

Sites Reservoir –

The Sites reservoir would drown 14,000 acres of grassland, oak woodland, chaparral, riparian vegetation, vernal pools, and wetlands, including 19 acres of rare alkali wetlands. Evidence of the threatened valley elderberry longhorn beetle has been found in riparian vegetation in the Sites area. The vernal pools and wetlands are likely habitat for threatened vernal pool fairy shrimp and the endangered Conservancy fairy shrimp. The wetlands are also considered suitable habitat for other rare but not listed species of fairy shrimp. Until recently, actual surveys for these species were blocked by local landowners.

At least 20 other sensitive or special status wildlife species have been found in or near the reservoir footprint, including hardhead, northwestern pond turtle, Cooper's hawk, sharp-shinned hawk, tri-colored blackbird, golden eagle, short-eared owl, long-eared owl, burrowing owl, ferruginous hawk, lark sparrow, northern harrier, yellow warbler, white-tailed kite, California horned lark, merlin, prairie falcon, pallid bat, western red bat, ringtail, and American badger. Potential habitat exists for 56 other sensitive, threatened, or endangered species. The Sites area also supports four rare plant species.

Field surveys have identified 41 prehistoric sites, 17 of which appear to provisionally meet criteria for eligibility to including on the National Register of Historic Places. Little work has been done to identify historic sites, but it is estimated that the Sites area may possess 15 to 20 significant historic sites, including the historic district associated with the town of Sites.

Thomes-Newville Project –

The Newville reservoir would inundate 17,000 acres of grassland, oak woodland, chaparral, riparian, and wetland habitat. Approximately 621 acres of jurisdictional wetlands would be lost and would have to be mitigated. This includes 26 acres of potential habitat for protected invertebrate species (fairy shrimp), riparian habitat actively used by the threatened Valley elderberry longhorn beetle, as well as habitat for nine rare plants. Altogether, 21 special status fish, wildlife, and plant species have been observed in or near the reservoir footprint. Potential habitat exists in or near the reservoir footprint for another 70 special status species.

It should be noted that the Newville project includes a proposed diversion from Thomes Creek, which is considered critical habitat for the threatened spring run chinook salmon and winter steelhead. In addition, the project could impact flows in Stony Creek, which is also considered critical habitat for threatened salmonids. Current surveys for these species are limited. Most of the available fish data is from the 1980s.

A total of 117 prehistoric cultural sites are located in the Newville reservoir site, including approximately 60 sites that meet National Register eligibility criteria. Cultural surveys were conducted in the early 1980s and lack historic sites. The area certainly contains notable historic sites, including the old town site of Newville and its cemetery.

Fish and cultural surveys for the Thomes-Newville site should be updated. The direct reservoir-induced impacts to special status species and cultural values should be quantified in the EIS/EIR.

Water Quality

The offstream storage reservoir sites are located in a region that naturally produces selenium and high amounts of metals and other potential pollutants, including methyl mercury. Reservoirs can act as a vector for these materials, concentrating them and then releasing them downstream. In addition, the reservoirs are relatively shallow, which will result in the warming of water and relatively high temperatures for water released downstream. The water quality impacts of the project should be fully considered in the EIS/EIR.

Seismic Issues

The potential offstream storage sites are located on a large fault system known as the Great Valley fault. This system is created by an active tectonic boundary between the Sierra Nevadan basement and Coast Range. This complex zone is the source of at least two major earthquakes (the 1892 Winters-Vacaville quake rated at magnitude 6-7 and the 1983 Coalinga quake rated at magnitude 6.7) and several small to moderate quakes.

According to the most recent seismic studies, faults underneath and adjacent to the proposed locations of the various Sites dams could produce a maximum credible earthquake of magnitude 7. The maximum potential earthquake for the Thomes-Newville project is estimated at magnitude 6.5-7. The costs of engineering project facilities to withstand such quakes should be considered in the EIS/EIR. In addition, the possibility of reservoir induced seismicity impacts to local communities, particularly those with un-reinforced masonry buildings, should also be considered in the EIS/EIR.

Downstream Floodway

The construction of a large reservoir on any stream requires that a floodway be maintained downstream that is of sufficient size to allow for emergency releases from the upstream facility. Since the offstream reservoirs under consideration would be on relatively small perennial and seasonal streams, the existing floodway capacity of these waterways can be assumed to be limited. In fact, flooding in the Colusa Basin from small seasonal streams is already a chronic problem. Establishment of sufficient downstream flood capacity could significantly impact downstream land use and development, as well as substantially increase the cost of the project associated with the relocation of structures and roads, as well as levee construction. These impacts and costs should be quantified in the EIS/EIR.

Power Production

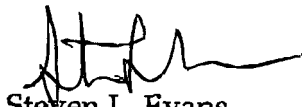
Studies to date suggest that operating offstream reservoirs for pumped-back energy production could produce net revenues even while using more energy that it produces. This estimate was based on a much more static energy market prior to 2000. In fact,

large pumped back projects were not operating during the recent energy crisis because these projects rely on lower nocturnal rates that simply were not available. The cost feasibility of offstream facilities generating pumped back energy in the current and relatively unpredictable energy market must be factored in the EIS/EIR. In addition, the physical and environmental impact of pumped back storage on reservoir levels and reservoir recreation, as well as downstream flows must also be considered in the EIS/EIR.

Please provide a copy of the draft EIS/EIR when it becomes available.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Evans', with a stylized, flowing script.

Steven L. Evans
Conservation Director

Sources:

North of the Delta Offstream Storage Investigation Progress Report (Final Draft), Integrated Storage Investigations, CALFED Bay-Delta Program, California Department of Water Resources, July 2000.

CALFED Storage and Conveyance Component Facility Description and Cost Estimate Reports, Volume 1, CALFED Storage and Conveyance Refinement Team, October 1997.

An Example of Average Monthly Diversion from the Sacramento River for Off Stream Storage Reservoir, California Department of Water Resources, August 1998.

Reconnaissance Survey of the Sites Offstream Storage Project, California Department of Water Resources, July 1996.

Flow Regime Requirements for Habitat Restoration along the Sacramento River between Colusa and Red Bluff, Integrated Storage Investigation, CALFED Bay-Delta Restoration Program, December 1999.

Ecosystem Restoration Program Plan – Strategic Plan for Ecosystem Restoration, Final Programmatic EIS/EIR Technical Appendix, CALFED Bay-Delta Restoration Program, July 2000.

Woodland, Scott

From: John Garino [jgarino@thegrid.net]
Sent: Thursday, February 07, 2002 4:25 PM
To: Woodland, Scott
Subject: Thomes/Newville Dam

Scott Woodland
Senior Engineer, Department of Water Resources

Dear Mr.. Woodland,

This letter is in regards to the Thomes/Newville Dam proposed project. My husband and I have discussed this project at length and we, like many others in the area strongly oppose the plan. We are concerned about the negative impact it will have in this area, and surrounding areas. It will adversely change our way of life as we know it, as well as that of the wildlife. It will not only change the wildlife population and movement, but more importantly, I am convinced that it will have a devastating affect on the wildlife. Obviously by changing the flow of the creek, it will eliminate many things, one of them being fishing. The list goes on.

It will also have a major, negative impact on the many family ranches, who have, for generations irrigated out of Thomes Creek. Their very livelihood depends on that water, just as the wildlife are dependent on that very same water.

I also have been told that this project would also put the historic Newville Cemetery under water, which, if true, I object to most vigorously. The thought of such a ridiculous, insensate, unintelligent and somewhat demented plan, appalls me. I can only imagine what the families of those buried there must think.

I thank you for your time. Please let me hear from you at your convenience to discuss this project further.

Sincerely,
John Garino and Janice Garino

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double-sided printing.
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January 2, 2002

Mr. Scott D. Woodland P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
Sacramento, CA 94236-0001

Subject: Scoping Meetings

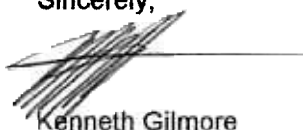
Ladies and Gentlemen:

I have received your communication noticing of government explorations relevant to North of the Delta Offstream Storage. I am a 4th generation Northern California Farmer and have always been told and observed the critical place water takes in everyone's life. No civilizations need is higher than that for an adequate supply of quality water.

In California it has always been a critical element in efficient agriculture, industry and community growth...and California will have growth regardless of the supply! Accordingly, I am fully behind developing additional water storage, be it by expanding Shasta or other storage facilities or developing new needed sources with such projects as the Auburn Dam (onstream) or by taking advantage of excess river flows with projects such as the Sites Reservoir (offstream). The Sites Reservoir appears to be a particularly bright scheme because of its proximity to the Tehama Colusa Canal and the availability of a suitable geological site that is virtually useless for conventional purposes.

We must not let the "save the environment industry"...and make no mistake, it is an industry with all the profit and selfish desires of any industry, delay necessary and proper exploitation of our natural resources, particularly water. Our needs are obviously pressing even in the best of years and a real drought is eminent. Therefore, if we are to avoid a calamity that will make the energy crunch look like a minor pothole on a country road, we must secure additional water supplies without delay.

Sincerely,



Kenneth Gilmore

Kenneth Gilmore
4377 Emerald Ridge Lane
Suisun, CA 94585

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double-sided printing.
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May 2, 2000

TO: CALFED BAY DELTA PROGRAM

FROM Brenda Brandon, Technical Outreach Services for Native American Communities
Coordinator.

SUBJECT: Pomo Cultural Risk Assessment Comments Related to CALFED Bay-Delta
Program Draft Programmatic EIS/EIR, including Ecological Risk Assessment.

These comments apply to the lack of inclusion of tribal cultural concerns in the CALFED Bay-Delta Program Programmatic Environmental Impact Statement /Environmental Impact Report (EIS/EIR). The undersigned Pomo Tribes have expressed concerns about general and specific cultural potential impacts that have not been addressed in these EPA documents.

According to the National Environmental Policy Act Regulations Part 1506.6 (Public Involvement): "Agencies shall: Make diligent efforts to involve the public in preparing and implementing their NEPA procedures." The general feeling among the concerned tribal officials is that they were left out and uninformed of the preparation of the CALFED Bay-Delta Program. The delivery of a 4000 page technical document to the tribes with little time to comment was not appropriate, given that most of the impacted tribes do not have the resources or expertise to comprehend the full impact of such a huge undertaking. Many tribes were requesting resources to be brought up to date and to participate effectively in the commenting process. To the disappointment of all concerned, educational and training funds were not appropriated to the tribes. Essentially, they have not been involved to date.

There are two aspects of the NEPA process that the Pomo Tribes have requested to be involved in. First, they would like to address all issues and matters related to their tribal water rights. Secondly, the tribes have concerns about the risks related to potential impact to cultural resources that were not investigated or discussed in the EIS/EIR documents.

Tribal sovereign powers include rights to land, water, and other natural resources. In order to effectively address environmental impact concerns, a government to government relationship between parties involved must be established. Knowing that they must first be given opportunity to exercise their sovereignty rights, the Pomo Tribes are concerned about the future of their water rights. It is certain that many tribes feel threatened by potential impact to water rights brought about by the implementation of the CALFED Program.

There was no inclusion of tribes or mention of tribal reserved water rights in the CALFED Bay-Delta EIS/EIR document. Questions revolving around equitable participation in and equitable distribution of the water benefits to the tribes has not been addressed. There has been no effective establishment of advocacy that will protect tribal water rights in impacted areas. All of these issues bring about problems in building trust between the tribes and the involved agencies. In part the law mandates tribal involvement in the NEPA process, to avoid future environmental justice action.

Tribal cultural considerations are not only dependent upon the nature and degree of environmental impact to resources, but are also dependent upon tribal-specific impacts. As with any tribe, the Pomo people choose to define their own culture and express it in their own way. Certainly, each Pomo Tribe has specific concerns about the CALFED process that can be defined only by each Pomo Tribe itself. These comments are intended to serve as a guideline, which suggests the types of cultural issues the Pomo Tribes may want to have addressed during assessment of impact to their lands.

HERS has identified four general categories of tribal considerations that are frequently impacted by NEPA process. Below are listed the types of concerns that the Pomo may inquire about in relation to the EPA documents and NEPA process, specifically the CALFED Bay-Delta Programmatic Program EIS/EIR.

- Subsistence living issues are not understood or considered.

- Traditional cultural practices are not considered.

- Impact to culturally significant sites, plants and animals may not be understood.

- Long-lasting effects to aesthetic constitution of the environment are not discussed.

The Pomo rely heavily on natural resources in Northern California, not only for reasons dictated by their culture, but because they are located in primarily rural areas. Sustainability issues are primary concern to these tribes. Potential impact to culturally significant plants and animals has not been investigated. Many plants and animals that are utilized by the tribe were not included in the CALFED investigations. Medicinal plants were excluded from the ecological assessment altogether. Neither, was there any mention of addressing impact to culturally significant sites.

There are numerous plants and animals of cultural significance to the Pomo that have not been studied through the conventional approach used in the CALFED impact statements. Basket plants, an integral part of Pomo culture were not investigated in the CALFED documents. Some wetland plants of concern are already in a state of duress and could easily be devastated. The Pomo Tribes should be given opportunity to participate effectively in decision-making processes that revolve around the implementation of the CALFED Program to protect cultural resources.

There are a number of complexities associated with the cultural use of biota, especially in relation to riparian and wetland ecology. Trophic level considerations were addressed only in a general sense in the Ecosystem Restoration Program Plan. The long-term impact on culturally significant natural resources by the CALFED Program has not been addressed and should take priority as the tribes struggle to maintain their cultural integrity in a world destined to never ending resource depletion. Pomo cultural preservation issues are real and deserve attention and fair consideration by federal agencies. The tribes should be given opportunity to evaluate the effects of alternatives and consider the impact that each may have on plants, animals and sites of significance.

The CALFED Program has the potential to disrupt the aesthetic constitution of the natural environment. It is the close relationship that Native American Tribes maintain with their environment that motivates them to pursue involvement in environmental processes. Because the psychological impacts of the disrupted environment are difficult to measure, cultural preservation precautions become pertinent. The long term impact to cultural resources is certainly an issue that the Pomo would like to see addressed. Given opportunity, through community involvement, the Pomo Tribes could obtain a sense of control over seemingly overwhelming environmental issues. Education, getting the community up to date on the NEPA process, would be a step taken in the positive direction. The tribes are, at the minimum, likely to request involvement with creating a cultural risk management program to help curtail the potential impact to their natural resources.

An effective tribal risk management model should include the following elements:

- Background research of oral and written history, cultural and ecological resource applicability, archeology, and scientific records.
- Examination of potential impact to culturally significant resources.
- Explicit communication of alternative solutions, which incorporate traditional cultural and ecological knowledge.
- Implementation of cultural risk management plan.
- Continuous monitoring of implementation actions that is in harmony with the tribes' cultural and psychological identity.

HERS' commitment to the Pomo Tribes is to assist them in communicating cultural concerns to government agencies. Another need that the Pomo foresee, is the development of a cultural risk management plan. Community involvement is key to the development and success of tribal cultural risk management plans. HERS could potentially contribute resources to assist the tribe develop such a plan.

Again, it should be noted that the Pomo Tribes are responsible for bringing forth information about specific cultural concerns with the involved agencies. The tribe however, must be given opportunity to discuss issues, and to become effective contributors to the decision-making processes that revolve around the implementation of the CALFED Bay-Delta Program for the next thirty years.

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MARY ANNE HOUX

SUPERVISOR, THIRD DISTRICT

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TELEPHONE: (530) 891-2800

FAX: (530) 891-2877

January 3, 2002

Scott D. Woodland, P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
Post Office Box 942836
Sacramento, California 94236-0001

Re: Sites Reservoir

Dear Mr. Woodland:

I am writing in strong support of new off stream storage in Northern California. I have studied the issues surrounding the Sites Reservoir and feel that it is probably the best choice from an environmental viewpoint and from a practical viewpoint.

Those of us who live in Northern California feel very strongly about the issue of transferring our water to Southern California. Water is essential to growing the crops which Northern California grows. Agriculture is our largest contributor to the economy. "No water – no crops" is more than just a slogan.

If there is an effort to save the run-off of water, then a transfer becomes less onerous.

Northern California feels it is necessary to have storage before transfer!

DWR
Division of Planning and Local Assistance
January 3, 2002
Page 2

I hope that all agencies involved in this important issue give every favorable consideration to advancing the Sites Reservoir.

Sincerely,



Mary Anne Houx
maoh/

cc. David Guy, Executive Director
Northern California Water Association

MEMBERS:

JIM COSTA (V. CHAIR)
DEDE ALPERT
JIM BATTIN
DON PERATA
TOM TORLAKSON
VACANCY

CALIFORNIA LEGISLATURE
**SENATE SELECT COMMITTEE
ON
CALFED**

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February 8, 2002

Mr. Scott D. Woodland, P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Re: Comments on North of Delta Offstream Storage EIR/S

Dear Mr. Woodland:

This letter serves as my formal comments on the scope of issues to be addressed in the above referenced document and its accompanying supporting appendices and reports. Thank you for the opportunity to present to you the issues I feel are important and that need to be addressed at the outset of this project to ensure its future success.

As the leading North State Senator on water and water storage issues and as Chairman of the Senate Select Committee on the CALFED Bay-Delta Program, I am in a unique position to comment on the development of this particular environmental document. Any project approved at the end of this process will be built in my district and hopefully, will provide new water to my constituents.

As you may know, since the inception of the CALFED Program I have been involved in an oversight role as Chairman of the Select Committee and I have played an integral role in the development of the Program. I have held countless hearings on a variety of key

issues and these hearings have helped to shape the overall development of the CALFED Program and its environmental documentation.

Unfortunately, as someone who is intimately aware of the development of the CALFED Program, I cannot recommend that you rely on its environmental documentation. As you are undoubtedly aware, the CALFED Program is currently under litigation by several different organizations. The lawsuits allege significant errors and defects in the CALFED environmental review process and the accompanying documentation.

Given this fact, I would recommend that you obtain an independent legal opinion as to the advisability of tiering the North of Delta Offstream Storage EIR off of the CALFED Program EIR/S and ROD. This would be a prudent course of action in the event that the CALFED EIR/S and ROD is overturned in court at a future point in time. And again, prudence dictates that California taxpayers should be protected from paying twice for defective environmental review.

Moreover, I have a keen interest in seeing new water storage facilities built in this state as soon as possible. Any delay in providing new water storage in this state is unacceptable. It is my hope that any environmental review done for this project can stand alone so that we avoid any foreseeable delays that could be caused by any adverse rulings in the pending litigation. By taking this course of action, we can also avoid known errors and defects that exist in the CALFED EIR/S and ROD.

At this point, I would like to turn your attention to the four areas that you requested comments on, which are as follows:

- (1) The definition of future conditions without Offstream Storage (No Project/Action Alternative);*
- (2) Alternatives to be considered;*
- (3) Focus of Impact Assessment with respect to potential benefits or impacts; and*
- (4) Issues to be considered in the Cumulative Impact Assessment.*

I will address my concerns for each of the four areas that you have identified above.

(1) Comments on No Project/Action Alternative.

As I understand it, “[t]he California Environmental Quality Act (“CEQA”) requires that the ‘no project’ alternative discussed in an EIR address ‘existing conditions’ as well as ‘what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services’ (*Planning and Conservation League v.*

Department of Water Resources (Sept. 2000) 83 Cal. App. 4th 892, 911; 100 Cal. Rptr. 2d 173).”

One very significant “existing condition” for purposes of your analysis is known water shortages in the state’s water system. And as the above court pointed out, “[r]eduction of SWP entitlements to acknowledge permanent shortage (or, more accurately, realistic yield) will allow for more accurate forecasting...and more accurate planning efforts by regulatory authorities...(Id. At 915).”

This means that you would have to analyze the existing state water system and its known supply problems, including the projected population increase expected in the next twenty years and what impact this expected growth will have on the existing water availability and infrastructure in the state. In other words, how will the expected growth in the state’s population impact the current state water system and its existing capacity?

I believe that this analysis will clearly show the dire straits the state finds itself in right now with respect to water. We simply do not have enough water right now, let alone significantly increased needs for the future. If we are to provide one of the basic necessities of life for the citizens of this state, the status quo is simply unacceptable with respect to water storage in this State.

Alternatives To Be Considered

“The range of alternatives required in an EIR is governed by a ‘rule of reason’....[and]...[t]he key issue is whether the selection and discussion of alternatives fosters informed decisionmaking and informed public participation...(CEQA Guidelines, Section 15126(d)(5)).”

The handout material that was provided at your scoping meetings listed the following alternatives: (1) Sites Reservoir; and (2) Newville Reservoir. Under the heading of “Other Possible Alternatives,” you mention in passing the enlargement of Shasta Dam, and the conjunctive use program.

In my opinion, I believe it would be reasonable to include in this study the enlargement of Shasta Dam. Studying only two alternatives besides the ‘no project/action’ alternative would unnecessarily limit the potential storage options available to address the water shortages we are currently facing in the state. Both suggested alternatives are similar. Differences provide broader analytical methodology and discussions within the EIR. And this is what CEQA is predicated upon.

I believe it would be valuable to include the enlargement of the Shasta Dam in this Study. Shasta Dam is certainly ‘north of the Delta’ and its inclusion would provide a useful analytical counterpoint to the other two alternatives being considered, especially because it is an *onstream* as opposed to an *offstream* alternative.

Thus, its inclusion would add significant depth and value to the overall scope and extent of the discussion of possible storage options north of the Delta. The value of the

EIR would be greatly enhanced if the enlargement of Shasta Dam is included in the project alternatives.

Benefits/Impacts Assessment

Obviously, the single most important benefit provided by new storage infrastructure is the addition of “new” water into a system plagued by chronic shortages. This new water will provide much needed operational flexibility within the state water system as well as giving the state the ability to meet new growth demands that are already upon us.

Moreover, by meeting the new demand in growth, the local economy, and ultimately, the state’s overall economy will benefit. And when the state’s economy benefits, its citizens reap the rewards.

Considering the importance of “new” water, I believe it is imperative that in this EIR/S, you identify and quantify how much “new” water will be available as a result of the various storage options studies in this analysis. Furthermore, please identify exactly who will benefit from the addition of this “new” water.

I would also like to know if anyone will lose water entitlements if any of these storage projects are built. In other words, are we actually adding new water or are we simply shifting or transferring water in the system? If there are any transfers, what are the adverse impacts of such a transfer?

Specifically, will the water be available to local users as opposed to export uses? In other words, who will have ownership rights of the “new” water. And who will “own” the storage project ultimately selected for construction? Will it be the state, the federal government, a combination of state/federal ownership or some other arrangement? The public should be advised of these important decisions at the outset of this process.

Another major consideration will be the cost of the water. How much will it cost to provide “new” water from these particular projects? Will this cost be compared to the cost of water obtained from an expansion of Shasta reservoir so that a comparative analysis of cost is done for the various storage options included in this study?

Obviously, the addition of “new” water that is too expensive for the intended beneficial users in the local area raises serious questions about whether or not the development of the “new” water is feasible. We need to know this information in order to make the best choices about which storage alternative provides the greatest benefit for public use.

I believe a thorough and complete comparative analysis would be truly beneficial as an education tool for the public. The more information that is provided to the public on this issue, the greater the foundation upon which these projects can be based and with this

complete information, the best choices can be made about which storage options are the most beneficial to the state and its citizens.

Cumulative Impact Assessment

“Cumulative impacts” refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (CEQA Guidelines Section 15355). This includes single projects done over a period of time where incremental impacts may not be adequately studied.

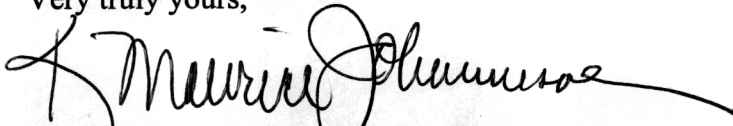
There are many important aspects that should be considered and adequately studied as part of this section of the analysis. The transfer of water out of its “area of origin” has serious impacts, both economically and socially. Its impact on the rural community can be devastating over time. These impacts must be studied and assessed before decisions are made about which projects merit construction.

The Klamath Basin problem where water was denied to those farmers in favor of endangered suckerfish had devastating economic and social consequences for the entire region. You should be very mindful of these types of consequences to local communities in preparing these planning documents. Decisions made in isolation without scientific bases to support them have real consequences. I urge you to carefully consider these types of consequences as you prepare this EIR/S.

In closing, I want to thank you for the opportunity to alert you to some areas of interest and importance that I believe should be taken into account and addressed from the very beginning of the EIR/S process. By taking these areas of importance into account from the beginning, we can properly address and study them and arrive at conclusions that make sense for not only the local citizens, but for the state as a whole.

I look forward to reviewing the initial draft when it is available to the public for comments. In the meantime, please be sure to place my name on the mailing list to receive notices of upcoming meetings. Thank you in advance for your attention to this request.

Very truly yours,

A handwritten signature in black ink, appearing to read "K. Maurice Johannessen", with a long, sweeping horizontal line extending to the right.

SENATOR K. MAURICE JOHANNESSEN
Fourth Senate District

c: file

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DIVISIONS

Archives
Business Programs
Business Filings
Notary Public
Uniform Commercial Code
Elections
Information Technology
Management Services
Political Reform



BILL JONES
Secretary of State
State of California
January 9, 2002

EXECUTIVE OFFICE
1500 11th Street, 6th Floor
Sacramento, CA 95814
P.O. Box 944260
Sacramento, CA 94244-2600
(916) 653-7244
(916) 653-4620 FAX
Internet address: www.ss.ca.gov

Tom Hannigan, Director
Department of Water Resources
1416 Ninth Street
Sacramento, CA 95814

Dear Mr. Hannigan

I strongly support the joint efforts of the Department of Water Resources and the CALFED Bay-Delta Program to move ahead expeditiously with all aspects of the Sites Reservoir project. During the initial discussions on establishment of CALFED, Senator Costa and I insisted that water storage facilities be an integral feature of the Delta plan. I strongly urged that a Sites Reservoir be the first of a series of water storage projects that need to be built to show the CALFED partnership that Northern California water interests would be protected. Collaborative efforts such as these are necessary to live up to the promise of CALFED, namely that "We all get well together."

I am deeply concerned that the CALFED process has become Balkanized. It is through efforts like the one you are considering now that we can re-establish the statewide leadership that is so necessary to get us back on track, notwithstanding a Record of Decision of that so many found inadequate for that purpose.

I believe this project, if ultimately constructed, will be a first step toward providing the kind of water supply reliability that is so desperately needed for California to live up to its responsibility to be a steward of our environmental resources. Again, this project would be tangible evidence that the state will take a leadership role in this issue. While our infrastructure is crumbling and failing to meet the needs of a growing state, state sponsorship of a water project has been virtually nonexistent. Local districts have been doing what they can to meet their needs, but this is a statewide issue that requires statewide leadership.

I had the opportunity to join with you, Mr. Director, and our colleagues to unanimously support AB 2315, in 1993 that led to this joint endeavor. I have been involved from the earliest stages as a supporter of CALFED efforts, and I was a joint author of Proposition 204—the largest environmental water bond of its kind when it was proposed in 1996—that served as a down payment on this unique state-federal partnership.

I am also uniquely qualified to comment on this process because I am personally familiar with water issues and how CALFED actions affect California's future. I come from a farm next to Mendota in western Fresno County. My

parents, my brother and one of my daughters and her husband still farm that ground, and I still own an interest in a portion of the farm. Our farm relies upon water delivered by the Firebaugh Canal Company and Westlands Water District. My father served on the state's water commission during the 1960s when the state saw a renaissance in state infrastructure building, including water development projects. My father also served on the boards of the Firebaugh Canal Company and the San Luis and Delta-Mendota Water Authority for many years. In those roles, he has been a leader in efforts to secure a reliable, long-term water supply for California's vital agricultural industry.

But apart from those personal interests, I am involved and interested as a citizen and as a policy-maker who has a long-held interest and a deep appreciation for the importance of water issues and an understanding of their many complexities.

It is in that spirit and with that understanding that I urge you to move ahead with the planning for and construction of this offstream storage project. As those familiar with water issues are well aware, the DWR assessment of California's water needs shows California's supply infrastructure falls short of meeting our needs even in years of average rainfall. At any time, we are literally one drought away from a water crisis. It is difficult for policy makers to explain to the public, the year after they see the Yolo Causeway area flooded and the Sacramento River teeming from bank to bank, why they must conserve water so the state can meet its most basic needs.

Sites Reservoir, filled primarily with diversions from the Sacramento River during times of peak flow, will reduce the impact of pumping for valley conveyance systems during summer months and will allow for additional flows for salmon and steelhead during critical times. This kind of project is what California needs to begin managing its resources to meet urban and agricultural needs, instead of trying to manage the short-term crises and the inevitable chronic crises that will come with the state's projected growth.

Thank you for considering these remarks and I urge you to do all that you can to ensure that your decision is one more step toward completion of this critical project.

Sincerely,


BILL JONES

cc: Kirk Rodgers, Acting Regional Director, USBR
Honorable Gray Davis, Governor



KERN COUNTY WATER AGENCY

Directors

Fred L. Starrh
Division 1

Terry Rogers
Division 2

Peter Frick
Vice President
Division 3

Michael Radon
Division 4

Adrienne J. Mathews
President
Division 5

Lawrence P. Gallagher
Division 6

Gene A. Lundquist
Division 7

Thomas N. Clark
General Manager

John F. Stovall
General Counsel

February 6, 2002

EXPRESS MAIL

Mr. Scott D. Woodland P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Dear Mr. Woodland:

We are writing to provide you with our comments on the scope of issues to be addressed in the Environmental Impact Report (EIR) on the North of Delta Offstream Storage (NODOS) project. As you may be aware, the Kern County Water Agency is the second largest contractor of the State Water Project and its economy largely relies on water from that project. Agriculture drives approximately one-third of the Kern County economy and oil production (which utilizes water in the steam extraction of heavy crude) for another one-third.

The Agency has been working, along with the other state water contractors, with Sacramento Valley interests on a regional water management program that would help meet in-Valley needs as well as help the state and federal projects meet the requirements of the Bay-Delta Water Quality Control Plan (the so-called "Phase 8" negotiations). As part of our Settlement Agreement with the Sacramento Valley interests, we recognized that new off-stream surface storage is an essential element of the program and can increase the reliability of water supplies for export water users as well as upstream interests.

Clear factors demonstrate the need for additional surface storage:

- The state's existing network of reservoirs and aqueducts is outdated, undersized, and inadequate to provide an adequate water supply in a sustained drought.

Mailing Address:
P.O. Box 58
Bakersfield, CA 93302-0058
Phone: (661) 634-1400
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Scott Woodland, P.E.
Department of Water Resources
Re: Sites Reservoir Scoping
February 6, 2002
Page Two

- Conservation and recycling programs alone cannot meet the growing needs of a population that has more than doubled since the system's major features were built 40 to 60 years ago.
- Additional storage is also needed to address new environmental requirements, which have increased demands on the system and reduced operational flexibility.
- Scientists are predicting a reduced snowpack due to global warming, suggesting that augmented surface storage capacity is necessary in order to offset the reduced natural storage in the snowpack.

Thus, the CALFED Record of Decision properly found the need to expand surface storage capacity in the state's system, and committed to study the Sites Reservoir in the Sacramento Valley as one possible location for new off-stream storage. That commitment should be honored.

Last year, after a string of five very wet years, the Agency received a water supply allocation of 39% of its contracted supply. This low level of supply reliability will begin to have serious adverse economic consequences up and down the state as soon as a multiple year dry period is encountered. The No Action Alternative must analyze the economic consequences of increasingly severe water supply shortages in the absence of new surface storage.

Specific Assessment Needs

New off-stream storage in the Sacramento Valley will provide considerable environmental as well as water supply benefits. The Sites Reservoir could provide the following environmental benefits:

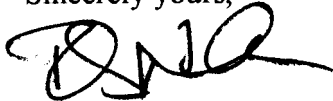
- Improved water temperatures for fisheries in the Sacramento River
2. Increased supplies and system flexibility in support of state and federal efforts to improve fisheries of the Sacramento River, including the EWA
3. Reduced exposure of juvenile fish to diversions
4. Greater ability to emulate the natural flow regime of the Sacramento River

The EIR must analyze these environmental benefits as well as the water supply benefits likely to result from Sites Reservoir or any other off-stream storage project.

Scott Woodland, P.E.
Department of Water Resources
Re: Sites Reservoir Scoping
February 6, 2002
Page Three

Please add us to your mailing list to receive future announcements and information pertaining to this project. Thank you for your consideration of the comments we have provided.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'T. Clark', written over the closing 'yours,'.

Thomas N. Clark
General Manager

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double-sided printing.
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MWD

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

February 7, 2002

Mr. Scott D. Woodland P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Response to Scoping: North of Delta Offstream Storage

Dear Mr. Woodland:

This letter provides comments of the Metropolitan Water District of Southern California on the scope of issues to be addressed in the Environmental Impact Report (EIR) on the North of Delta Offstream Storage (NODOS) project.

Metropolitan, in concert with the Department and the USBR, has been working with Sacramento Valley interests on a regional water management program that would help meet in-Valley needs as well as help the state and federal projects meet the requirements of the Bay-Delta Water Quality Control Plan (the so-called "Phase 8" negotiations). As part of our Settlement Agreement with the Sacramento Valley interests, we recognize that new offstream surface storage may be an essential element of the program and can increase the reliability of water supplies upstream users, export water users and provide environmental management benefits.

Metropolitan supports the conclusion in the CALFED Bay-Delta Program Record of Decision (August 28, 2000) that: "Expanding water storage capacity is critical to the successful implementation of all aspects of the CALFED Program." Expanded surface water storage can help meet future consumptive water needs, provide desperately needed system operational flexibility to protect fisheries and water supply, help provide improved drinking water source quality and to enhance flood control opportunities.

Alternatives

Non-reservoir alternatives to the project should be considered only to the extent they meet the broad purpose and need established for surface storage. That is, such alternatives should be able to provide the multiple benefits cited in the CALFED Record of Decision to be considered reasonable alternatives.

Impact Assessment

In analyzing system-wide versus localized impacts of the project, the EIR should consider a number of different operating scenarios and focus on a scenario that provides the most broad and balanced operating benefits as the preferred alternative from an operating perspective. Site alternatives and operating alternatives that provide different levels of various benefits should be measured against this preferred alternative.

Benefits and beneficiaries of the preferred alternative should be analyzed. Care should be taken to recognize that any supply benefits derived from this project will likely only lessen existing regulatory burdens on previously authorized and financed water projects. As such, the benefit will be a general public and environmental benefit, compensating water project shareholders for water lost through regulatory actions which was previously paid for through user fees and other sources.

No-project Alternative

The EIR/S should consider the impacts upon water supply, water quality, fisheries and flood control of not achieving the benefits of the preferred alternative. This analysis should also consider changes in the base condition due to hydrologic changes which may result from global warming e.g., smaller snow packs and higher winter stream flows. These analyses should also consider socioeconomic impacts.

Thank you for considering these comments. Please add us to your mailing list to receive future announcements and information pertaining to this project.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Timothy H. Quinn", written over a horizontal line.

Timothy H. Quinn

Vice President, State Water Project Resources

Offices of:
John S. Mills
P.O. Box 911
Jamestown, Ca. 95327
(209) 532-0432 Fax: (209) 532-0480
e-mail address; sixbit@mlode.com

Scott D. Woodland P.E.
Senior Engineer, Water Resources
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, Ca. 94236-0001

January 18, 2002

Subject: North of Delta Surface Storage, Notice of Preparation

Dear Mr. Woodland:

This letter shall constitute the comments on the above referenced document on behalf of my clients, the Regional Council of Rural Counties (RCRC). These comments are provided in a timely manner as per the noticed review period and we hereby request they be entered into the administrative record of this proceeding.

It is my understanding that the following are the facts. The California Department of Water Resources (DWR) is the State lead agency under the California Environmental Quality Act (CEQA), and the Bureau of Reclamation (BOR) is the federal lead agency under the National Environmental Policy Act (NEPA) charged with preparing an Environmental Impact Report/Environmental Impact Statement (EIR/EIS), to comply with the referenced Acts. This document will be for the potential development of offstream water storage north of the Sacramento/San Joaquin Delta.

The DWR and Reclamation are jointly holding scoping meetings, prior to the drafting of the environmental documents in order to better assess the salient issues relevant to this proposal. There are a series of three meetings to take verbal comments and written comments are accepted until Friday January 25, 2002.

Written comments should be directed to the manager of this process and further, you are the manager.

The RCRC has been an active participant in the CALFED Bay-Delta Program since early 1996. New water storage has been one of RCRC's main concerns in this process and has identified, along with numerous other parties, that the state's water supplies are inadequate to meet all unmet needs even in above normal water years.

While RCRC has generally supported new surface storage, it has continually focused on the requirement that the new storage be functional storage. That is, that it not adversely impact its membership area, that it not be in conflict with the CALFED Solution Principal of no redirected impacts resulting from the CALFED Program and further that new storage should provide local water supplies. In addition, RCRC has advocated for affordable, high quality, reliable, water supplies from any new storage be attributed generally to the areas of origin. Further, RCRC has advocated that there be no adverse fiscal or socio economic impacts to the County(ies) or local economies and that local input and advice be sought throughout the process. In addition, RCRC has raised a series of technical questions that have thus far remained unanswered by the CALFED.

Please note that the majority of the existing surface storage in the state as well as most of the snow pack and water supplies (sources) of the state are located in the RCRC membership area. Further, the new off stream facilities were being located in the RCRC Membership area.

It is my understanding that you intend to "tier" this environmental document on the CALFED Programmatic EIR/EIS. Please note that RCRC has challenged that document and it is quite possible that the CALFED Programmatic document and process may be found legally inadequate. Therefore, any analysis carried out in this specific process should include a broad regional (all areas upstream of Delta), watershed wide analysis of potential impacts and alternatives for consideration. Analysis of such a proposal cannot be limited to focused "on site" topics.

I request that the following questions and points to be answered within the environmental document and administrative record:

1. How would the reservoir site, facilities and water be owned and managed? Specifically, what party(ies) would own the facility and what mechanism would be used to achieve that ownership arrangement?
2. What would the size, location and operational characteristics of any diversion facility, directly or incidentally associated with the project be? What would the impacts be at the point of diversion? What would the capacity need be at the points of diversion? What diversions (if any) would be displaced by the new diversions?
3. Please do an analysis of the year 2010, 2020 and 2030 water needs of all water users in the Sacramento watershed. Determine what surplus water, if any, is in the Sacramento Watershed to fill this reservoir for the same time periods. What would the specific water use be from this reservoir and what would the sale price of the water be?
4. What does the water produced by this project cost to the user? How often does the user receive this water? Is the water quality of the water appropriate to the beneficial use to which it will be applied? Will there be adverse impacts from the use of this water as it is applied and if so where? Will there be water supply benefits to the local area resulting from this project? Please specifically answer each question with specific data to support statements of conclusion.
5. Describe and analyze the linkage between this project and water exports from the Bay-Delta and any CALFED water acquisition programs, including the Environmental Water Account and the Environmental Water Program?
6. What entity would own the land necessary for the facilities (this would include those lands acquired for environmental mitigation purposes as part of this action)? Through what specific mechanism(s) would local governments and local communities be protected from adverse fiscal and socioeconomic impacts resulting from this project?
7. What relationship, if any, exists between the water resources necessary for this facility and to those water resources necessary to implement the Trinity River Restoration Flow Decision? The latter is a federal action which is already underway and we should be assured that any proposal

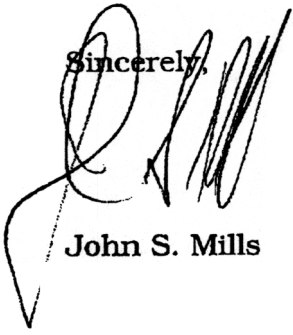
within the Sacramento watershed does not anticipate water resources from the Trinity which may not be present in the future.

8. What relationship, if any, exists between the water resources necessary for this facility and those necessary for previously authorized federal surface storage facilities such as Auburn Dam? Please specifically analyze the potential for this project to displace water resource appropriations necessary for Auburn Dam or any other surface storage project in the Sacramento watershed.
9. Will the current, County of Origin, Watershed of Origin and Protected Areas statutes of the California Water Code apply to this project? If not, specifically explain why not.
10. The applicants claim that this project will enhance the CALFED Environmental Water Account. The CALFED EWA is only a four year program. It will end prior to this project even coming on line. Therefore, is the statement by the applicants in error, or is the EWA extended by this action, or has the EWA already been extended counter to existing authorization? Please provide specific rather than general explanation.
11. The applicants further claim that there will be "...increased flexibility to the system and to Lakes Shasta, Oroville and Folsom..." as a result of this project. We wish to know what the specific details of flexibility are. Furthermore, if there are benefits attributable to this project that accrue to the above listed reservoirs who will those benefits be assigned to (in terms of water users)? Again, these answers must be specific and not general. Please define and disclose any new operations to these facilities which will now have increased flexibility, and disclose the impacts to users and beneficiaries of these facilities.
12. Please identify any potential Bay-Delta water quality impacts, or benefits which may be associated with this proposal. Please conduct that analysis with the information provided within the CALFED Bay-Delta Program and its environmental documents regarding water quality in the Delta as well as proposed increases in Delta exports in Stage 1. If there are impacts associated with this project how will they be mitigated and what parties and resources will be used to accomplish that mitigation? If there are benefits associated with this project (to water quality in the Delta) are those benefits being used to offset or mitigate for impacts to Delta water quality caused by implementation of Stage 1 pumping?

13. What additional power use will be associated with this project? What specific parties would bear the burden of providing, or paying for that power? What are the cumulative impacts of increased power use resulting from this project and other CALFED actions such as; Joint Point of Diversion, Environmental Water Account and Stage 1 implementation? What specific parties would bear the burden of providing, or paying for that power?
14. Is this project a Central Valley Project or State Water Project Facility? If it isn't why isn't it?

I look forward to the opportunity to review the draft environmental documents and wish thank you for the opportunity to comment.

Sincerely,



John S. Mills

Regional Council of Rural Counties



11 February 2002

J Minton

From: John L. Morton
Colusa County Historical Researcher
P.O. Box 743
Colusa, Ca. 95932

To: Jonas Minton, Deputy Director
Department of Water Resources
1416 – 9th Street
Sacramento, Ca. 94236

Dear Mr. Minton;

I am writing to you because I am concerned about the Cemetery at Sites. I have listened to the Colusa Board Supervisors, some Senators and Assyblymen and I have read the article in the Colusa County Newspaper about the Town Meeting held in Maxwell. The Subject of the Sites Cemetery was never brought up.

The Town of Sites is named after John Sites. The cemetery has 63 Buriels, with the last one done in 1969. There is also one Civil War Veteran buried there, Joseph John Shearin, a Confederate, born In North Carolina. A brief bio is enclosed. His brother, Mark Shearin, also a Civil War Veteran, is buried in the Maxwell Cemetery. Both brothers, along with the other 176 Civil War Veterans buried in Colusa County, are recorded on the Colusa County Civil War List.

The Cemetery is located on private property, owned by Charles Wells. I am sure the cemetery has been a topic of discussion on The water storage project, but I just want to know how it is going To be handled.

I do have a suggestion for all of you, why don't you make Sites Cemetery a " California Historical Landmark " and a " Colusa County Historical Landmark " and see if that will keep it there Instead of moving it?

A copy of John Sites obituary article from the Colusa Daily Times Newspaper is enclosed. It is a little dark, but it explains a little History on the Town's Founder.

Thank you for your time reading my letter.
Sincerely, John L. Morton, Colusa County Historical Researcher

John L. Morton

**CEMETERY INSCRIPTIONS
OF
COLUSA COUNTY, CALIFORNIA**

Volume 2

Compiled and Published By:

COLUSA COUNTY GENEALOGICAL SOCIETY
P.O. BOX 973, WILLIAMS, CALIFORNIA 95987

COLUSA COUNTY FREE LIBRARY

SITES CEMETERY

The Sites Cemetery is located about one half mile west of the town of Sites to the south of the Sites-Lodoga Road. When age at time of death rather than date of birth is given on a stone this information is shown in parantheses in order of years, months and days.

BIELER, Jacob	30 Jul 1872	11 Feb 1873
CLARKE, R A	20 Nov 1815	22 Sep 1879
DURBEY, Hugh (67years)		26 Nov 1889
EGGMAN, Conrad (48years)		7 Nov 1898
HARMON, James H	1868	1948
HUFFMASTER, Clarence	1859	1898
Ed	29 Apr 1826	17 Jun 1890
KENNEDY, Fern Ollean	18 Jan 1904	25 Aug 1935
James R	1855	1934
Willie H, dau H & HW	11 Dec 1861	4 Oct 1876
Mrs H W	22 Jan 1832	7 Apr 1897
Infant, dau Mrs W H		26 Feb 1877
Willie, dau James	18 Mar 1878	10 Feb 1879
KIRKUP, George		1905
Isabella Rigg	1878	1948
James M	30 Mar 1880	7 Nov 1953
Margaret M		1921
William	1876	1969
KRUGER, Willis A (38-3-3)		24 May 1908
MITCHELL, John (67-10-10)		3 Aug 1872
R, wife of John (71-4-25)		10 Jan 1882
PETERSON, Lot - Mellvah, our babies		1880
Lida M	1840	1892
Peter S	1820	1907
PHELPS, Nancy V (21-2-26)		18 Feb 18
PRINE, Riley T (11-6-10)		13 May 1874
Willie H (2-4-7)		6 Nov 1870
PRYOR, Frances B	Nov 1818	Jan 1906
REYNOLDS, Alaska son D & M (1-3-3)		24 Jan 1871
RIGG, Isabella Kirkup	1878	1948
RIDLEY, Arthur A son Hallie Shearin	1911	1945
RYNEARSON, Hannah wife of L	4 Feb 1827	13 Sep 1880
SHADDOCK, Emma dau JC & L	17 Apr 1871	18 Oct 1902
Evert son of JC	16 Jul 1877	9 Feb 1899
Ida dau JC & L	12 Aug 1873	30 Mar 1891
Lydia	12 Nov 1854	16 Mar 1890
SHEARIN, Octavia C	1838	1919
Wm M	1867	1951
J J	1834	1911

**CIVIL WAR SOLDIER
BURIED IN SITES CEMETERY
COLUSA COUNTY**

**Joseph John Shearin B – 1833 D – 13 January 1911
Company A, 14th Infantry, North Carolina Regiment Commanded
By Brigadier General S.D. Ramshur, Colonels F.M. Parker, R.Tyler
Bennett & Bryan Grimes and Major Joseph H. Lambeth.**

Note: He was born in North Carolina and enlisted in the Confederate Army in 1862 and participated in the Battles of Gettysburg (3 June – 1 August 1862) and Chancellorsville Campaign (27 April – 6 May 1863). He mustered out in 1866 and came across the plains to California and settled in the Sites area doing farm work at his ranch.

**References: #6 – Colusa County Cemetery Books, Volumes 1 – 3
Published by the Colusa County Genealogical Society.**

#7 – Colusa County Sun Herald Newspapers

**#16 – The War of the Rebellion, A Compilation of the
Official Records of the Union & Confederate Armies.**

**#17 – Louis Olker, Sons of the Confederate Veterans,
Petaluma, Ca.**

SITES

SITES, Anna O (0-7-9)		4 Sep 1883
Johnnie Franklin son W & SM	8 May 1880	7 Jan 1891
Maudie Jane dau WF & SM		25 Dec 1897
Sarah Maggie wife WF	20 Jun 1864	15 Jan 1904
William Franklin	9 Sep 1852	13 May 1939
Mary A	11 Oct 1862	21 Oct 1934
John	1834	1914
Laura E wife of John	16 Jun 1851	31 Mar 1884
Mary Francis dau J & LE		17 Aug 1870
Twin boys sons J & LE		14 Oct 1868
SMITH, Frank	26 May 1884	7 Dec 1949
Mary Ellen	1847	1931
Nellie wife of Frank P	1883	1936
Percy Lee	1881	1910
John B (stone broken)		
Lillie dau JB & SC (4-4-9)		20 Mar 1870
TATE, Marion D	1853	1920
James E	1876	1911
WALKER, John C		1889
WILSON, infant son WA & SA (4weeks		15 Nov 1876
WOLFE, Greta Rose	1902	1923
Rosie Marie	1923	1924
WRIGHT, Henry A (33-1-28)		5 Jun 1883

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(916) 781-4203
(916) 782-2191 FAX

January 25, 2002

Mr. Scott D. Woodland, P.E.
Department of Water Resources
Division of Planning and Local Assistance
PO Box 94836
Sacramento, California 94236

SUBJECT: Comments to the Scope of EIS/R- North of Delta Storage Evaluation

Dear Mr. Woodland:

The Northern California Power Agency¹ (NCPA) appreciates this opportunity to begin dialog on the development of improved storage capability in the Sacramento Valley. NCPA schedules Central Valley Project (CVP) preference power for its members, utilizing CVP hydropower generation resources to meet the customer loads. As such, we are interested in maximizing the effective utilization of the CVP resource and its appropriate integration with other existing or planned water and power resources in the region. We offer the following comments relative to the scope of the Environmental Impact Statement/Report (EIS/R) evaluation.

No schedule or milestones for subsequent EIS/R forums and subsequent decision processes were provided after the initial meeting (or in the letter announcing the EIS/R) and need to be established. Specific items that will require development in the EIS/R include: the purpose and need, project alternatives, the no-action and cumulative effects conditions, and evaluation criteria and methodology. The EIS/R report should provide an economic assessment for each alternative including: cost-benefit ratios; allocation of project capital and O&M costs between project beneficiaries; repayment capability of each of the project beneficiaries; and sources of funds to cover project capital and O&M costs. The report should also address the potential benefits and impacts to both CVP and SWP power resources, as well as the northern California regional energy supply. This includes the level and timing of generation, the gain or loss of power resources provided to CVP and State Water Project (SWP) power customers and the resultant cost/benefit impacts, and any cost impacts to the CVPIA restoration fund and its contributors. The scope of

¹ NCPA is a nonprofit California joint powers agency established in 1968 to generate, transmit, and distribute electric power to and on behalf of its fourteen **members**: cities of Alameda, Biggs, Gridley, Healdsburg, Lodi, Lompoc, Palo Alto, Redding, Roseville, Santa Clara, Ukiah, the Port of Oakland, the Truckee Donner Public Utility District, and the Turlock Irrigation District; and seven **associate members**: cities of Davis, Santa Barbara, ABAG Power, Bay Area Rapid Transit District, Lassen Municipal Utility District, Placer County Water Agency, and the Plumas-Sierra Rural Electric Cooperative serving nearly 700,000 consumers in central and northern California.

the report should also indicate the source of power to be used for project pumping, its costs, and proposed mitigation for any redirected impacts as a result of the project's pumping operations. /

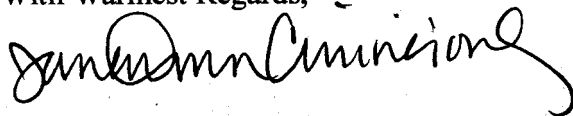
The evaluation needs to clearly define the operational scenario (when water is pumped and released), and compare SWP and CVP operations (e.g., daily/monthly release patterns, generation, storage, water delivery by division) with and without implementation of the specific North of Delta alternative. This allows for assessment of potential redirected impacts to CVP and SWP projects.

The no-action alternative is a critical feature of the analysis, and requires much more dialog between interested and affected parties, resource agencies and the EIS/R team. The no-action alternative needs to fully consider other proposed CALFED and Northern California resource projects that could significantly reduce/improve the project benefits and impacts.

It is our view that all alternatives need to be analyzed to provide fair comparisons. Specifically, Shasta enlargement is one alternative that needs more analysis. All alternatives need to specifically address their compliance with the CALFED solution principles, and define *specific necessary mitigation approaches*.

Thank you for the opportunity to comment, and we look forward to an open and collaborative dialog in the successful development of improved North of Delta storage capability. Should you have any questions, please feel free to contact Alan Zepp, NCPA's federal legislative analyst, at (916) 781-4238 for further information.

With Warmest Regards,



JANE CIRRINCIONE
Assistant General Manager
Legislative & Regulatory
Business Unit

AZ/cap

DATE: February 12, 2002

TO: DWR – Scott Woodland (Senior Engineer)

FROM: Edward Owens

The Owens family have been around the Newville area since the 1850's.
We are opposed to the Tomes-Newville reservoir.

FAXED: (916) 651-9289

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double-sided printing.
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530.245.7400

FAX.530.245.7489

777 Cypress Avenue

P.O. Box 496071

Redding, California

96049 607

www.ci.redding.ca.us

January 25, 2002
E-120-070

Mr. Scott D. Woodland, P.E.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236

Dear Mr. Woodland:

The City of Redding (Redding) appreciates the opportunity to provide comments on the preparation of the North of the Delta Offstream Storage environmental impact report/environmental impact statement (EIR/EIS). These comments are prepared from the perspective that Redding is both a Central Valley Project (CVP) water customer and a CVP power customer.

Our comments and concerns are as follows:

Impacts on CVP Operations

The scope of the EIS/EIR needs to include detailed operation scenarios for all storage alternatives being evaluated. These various operating scenarios need to provide substantial information of the impacts on all facilities (proposed and existing). For example, the proposed Sites Project as a stand-alone project could still have measurable impacts on the existing CVP system. The study of impacts needs to delineate as much as practicable the full scope of burdens and benefits of the Sites Project. The EIS/EIR has to provide decision makers with the ability to identify the costs and benefits of all alternatives studied, and provide a means for meaningful comparisons of the alternatives. Examples of specific items to include are as follows:

- Changes in CVP hydro operation and storage requirements at existing reservoirs.
- Changes to existing CVP pumping requirements.
- Impacts to CVP power generation capabilities (both capacity {peaking} and energy).
- Power delivery and cost impacts related to the existing CVPIA, EWA, etc.

Alternative Review

As part of the EIS/EIR process, alternatives (including the no-action alternative) to the Sites Project are expected to be evaluated. Redding has two areas of particular concern:

1. The criteria used to evaluate various alternatives needs to be shared with the affected users of the CVP from the beginning of the EIR/EIS process. A proactive approach by the lead agency(s) addressing this issue will only strengthen the process and reduce the time required for completion of the EIR/EIS.

Working Together to Improve our Community

2. The analysis of all viable alternatives needs to be developed to a high enough level so as to ensure a meaningful and fair comparison between all alternatives. For example, the "Raise Shasta" alternative would potentially introduce additional power generation as an added benefit to the CVP system overall. Whereas the addition of Sites Project off-stream storage would likely not increase power generation but rather require pumping energy and have significantly different impacts on Sacramento river downstream operations than a "Raise Shasta" alternative.

Meeting these two criteria will enhance the compliance with the CALFED solution principles and help define specific and necessary mitigation approaches.

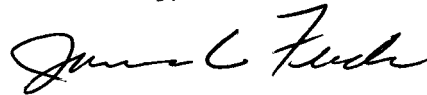
Guiding Principle

As the various alternatives are fully developed and evaluated, the underlying principle that a project should be affordable, equitable to all, and have no redirected impacts must be fully addressed. Costs should be distributed equitably among the beneficiaries in proportion to the benefits received. Therefore, the cost of any energy usage by a proposed project must be factored into the cost/benefit analysis at today's market-driven power costs, including any charges that may be imposed by the state's electricity restructuring process.

Redding looks forward to a cooperative effort and is supportive of the successful completion of the EIS/EIR.

If you have any comments or questions, please contact Lowell Watros at (530) 245-7403.

Sincerely,



James C. Feider
Electric Utility Director

c: Pat Kight, Mayor, City of Redding
Paul Olmstead, Resource Specialist - SMUD
Phillip A. Perry, Assistant City Manager, City of Redding
Michael Warren, City Manager, City of Redding
Alan Zepp, Federal Legislative Analyst - NCPA

February 8, 2002

Attention: Scott Woodland
Senior Engineer

Scott Woodland:

I own and run a 600 cow winter cattle ranch at the end of Long Hollow Road. My property borders John Connley's Quiet Hills Ranch. I oppose proposed Thomas Newille Dam site because the proposed road through my property would disrupt the diverse wildlife habitat we currently manage and maintain. The road would also adversely impact cattle ranching.

I appreciate being able to voice my concerns regarding the proposed dam.

Sincerely,

A handwritten signature in cursive script that reads "Richard Riolo".

Richard Riolo
(916) 771-0547

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double-sided printing.
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January 23, 2002

P.O. Box 15830, Sacramento, CA 95852-1830; 1-888-742-SMUD (7683)

ET&C 02-018

Mr. Scott Woodland
Department of Water Resources
Division of Planning and Local Assistance
PO Box 94836
Sacramento, CA 94236-0001

Subject: Scoping Comments North of the Delta Offstream Storage

Dear Mr. Woodland,

The Sacramento Municipal Utility District (SMUD) is the largest Central Valley Project (CVP) Preference Power Customer, providing not only payments into the Restoration Fund but repayment of the CVP plant-in-service and Operations and Maintenance (O&M) costs allocated to power. We have a major financial interest in the prudent management of CVP facilities. SMUD has significant concerns regarding the policies and programs under development through the CALFED planning process to modify the operations, management and physical facilities of the CVP. To this end, SMUD submits the following scoping comments on the North of Delta Offstream Storage Project (NDOS).

The issues that concern SMUD are discussed below.

Purpose and Need

SMUD is unclear as to the timing of proceeding with the NDOS EIS/R when the purpose and need statement required in the *Sites Memorandum of Understanding* has not been agreed upon. SMUD requests a clear statement of the federal role in this project. In the EIS/R address the decision making process for this project include a schedule or milestones for the EIS/R review and decision processes. What are the roles of the respective agencies? What agency is the decision maker for each alternative? Please identify the major federal actions.

Alternative Selection

Selection criteria for evaluation of alternatives are not yet established. The criteria need to be concise and shared with the affected users of the CVP before an informed decision can be made. Impacts to net power production and repayment ability or inability should be part of the criteria.

All alternatives need to be brought to an acceptable level of analysis in order to provide for impartial comparisons. Those alternatives that have more work-to-date should not have an advantage. The Raise Shasta enlargement is an alternative that needs to be included as a viable alternative, and needs more analysis to receive equal consideration as the Sites Alternative.

SMUD understands that the Raise Shasta Alternative would be an integrated feature of the CVP, and SMUD supports that approach. SMUD is less clear on what the federal role would be in a Sites Reservoir Alternative. As this is not an enlargement of a CVP facility, and it is authorized by CALFED, it is presumed that Sites Project would be a state/local water district project. SMUD requests confirmation of this understanding by the lead agencies.

SMUD, as a CVP power customer, would have serious concerns about Sites Reservoir if it were proposed as an integrated part of the CVP. The cost/benefit ratio and allocation of costs for the project are a concern to SMUD. Repayment and ability to pay cost shifting would be a serious concern. Pumping costs that exceed any power benefits would be a serious concern. SMUD requests all these issues be addressed in consultation with SMUD if Sites is proposed to be an integrated feature of the CVP. Alternatively, SMUD suggests that the lead agencies clarify that Sites Reservoir, if implemented, would not be a financially integrated part of the CVP, and would not qualify for CVP project use energy to meet its pumping requirements. Rather the project should be a state/local water agency project, responsible for its own power supply, and the reclamation role limited to one of operational coordination and design on a third-party services basis.

During the discussion of the no-action, please ensure that all proposed resource projects that could significantly reduce/improve the project benefits and impacts are discussed. /

Impacts to CVP Power Resources

In the CALFED Programmatic Environmental Impact Statement / Programmatic Impact Report (PEIS/EIR), SMUD repeatedly stated that the amount of CVP hydroelectric energy available for sale would decrease substantially in nearly all CALFED scenarios. The greatest impacts to CVP operation and power sales involved the scenarios that include water storage facilities and/or the isolated conveyance facility. The primary impacts to power result from increased pumping energy consumed at proposed new water storage and conveyance facilities.

Please ensure that detailed operation scenarios for the NDOS alternatives are analyzed. Include where all facilities are to be located, their potential costs, their primary beneficiaries, and how the cost of such facilities will be recovered. Assure that the document does not lack meaningful appraisal or feasibility analysis of the costs and benefits of such new projects.

The CALFED program has not set specific objectives for hydropower generation. SMUD and the CVP preference customers agree that the NDOS Project should minimize negative effects on resources, such as hydropower generation, during and after implementation. Increases in net CVP hydro generation like that made possible by a Raise Shasta Alternative should be pursued where feasible.

Please assure that information is provided regarding storage and pumping load assumptions. The Final CALFED PEIS/R stated that both that program and project alternatives would be discussed in subsequent environmental documentation and that impacts would be addressed when specific projects were to be developed. In this EIS/R we would like to see an analysis of impacts by the

operation for each of the alternatives under consideration. To understand the impacts to the capacity, generation, pumping energy and energy available for sale that will impact on implementation of the NDOS, a variety of potential project allocations showing some real world options are appropriate and necessary.

New pumping and storage facilities may have adverse impacts to power sales to Preference Power Customers and would, therefore, threaten the repayment capability of the CVP. A large part of the CVP repayment to the U.S. Treasury of the cost of construction of the CVP comes from Preference Power sales. Please address in the Areas of Controversy section any impacts by the project to the CVP and State Water Project. Please ensure that the document adequately addresses the severity of impacts to CVP Preference Power Customers and addresses the long-term financial implications of the wholesale modification of CVP operations and the impact to all CVP customers. Please also explain how compliance the CALFED Record of Decision mandated to avoid redirected impacts would be achieved.

Operational changes to CVP

New storage facilities need to have operational flexibility. Implementation of NDOS may require re-operation of the CVP. Re-operation will affect the timing of energy generation, peak project capabilities, annual energy production, and the distribution of energy on a seasonal, monthly, and daily basis. A major concern is that the water modeling programs may not provide the data needed for an adequate power production analysis. Models based upon monthly averages cannot forecast energy output and power values. Assure that enough information is presented to determine what changes in revenues from power sales and power costs to CVP Power Customers would result from the implementation of the NDOS.

Impacts upon CVP Rates

The NDOS project may have numerous implications to the future of the CVP and Western Area Power Administration (Western) if they are integrated into the CVP. Rate increases may occur due to changed river operations, increased pumping loads, and increased mitigation costs assigned to CVP Preference Power Customers. SMUD has a concern that increased rates could affect power marketed by the Western to the point it will become unmarketable. Increasing rates will decrease the power customers' ability to compete in the restructured utility industry's competitive environment. It is in the best interest of all parties to ensure that Western remains viable and continues to market federally generated power. If Western's rates are pushed above the existing energy market, customers will buy elsewhere, resulting in an inability to repay CVP capital. CALFED policy requires that beneficiaries of any CALFED Program action must pay related costs, not redirect them to others. We concur with the philosophy of this approach and would like to see CALFED adopt this as a policy for any generation losses as a result of the NDOS. CALFED policy requires for reimbursement for lost power or to pay to construct replacement generation. CALFED has not recognized that rate impacts, being economic in nature, require mitigation. The CALFED philosophy states there will be no "redirected impacts" and "the beneficiary pays." For the CVP Preference Power Customers, this will require a

commitment to mitigate directly for rate impacts if a facility is integrated financially into the CVP. The project proponents must commit to this mitigation to the CVP Stakeholder group.

Assure that the NDOS EIS/R provides an analysis of what the project will do to the rates for energy that the CVP Preference Power customers will pay. Include if there will be rate increases on the Preference Power Customers and the severity of this impact.

SMUD will continue to support the NDOS as long as the users and benefactors of the project bring their own power for the pumping that will be required for operation purposes.

Financing / Program Cost Allocations

Please ensure that project funding is addressed. It is not possible to determine the full impact of the alternatives if project funding is not addressed. As a Preference Power Customer of the CVP, SMUD has been paying its equitable share of Central Valley Project Improvement Act (CVPIA) Restoration Fund costs. The CVPIA is a separate program with specific objectives and prearranged payment obligations established by Congress. The Restoration Fund is financed partially by the CVP Preference Power Customers and is intended for the mitigation of CVP and its impacts. Use of the Restoration Fund by other entities for non-CVP purposes is not allowed. The funding for this project should not anticipate that CVPIA money will be redirected to CALFED or that CVP Preference Power Customers are able to pay beyond current Restoration Fund costs. Allocating additional Program costs to CVP Preference Power Customers would exacerbate anticipated rate impacts, and make it more difficult for CVP Preference Customers to repay the Treasury. Inability to pay problems plagues some CVP water customers in the Sacramento Valley. Please provide analysis that a Sites Reservoir will not exacerbate this situation if financially integrated into the CVP.

While the EIS/R is not required to address the full range economic factors, future decisions to receive the authorization to proceed will require economic discussion. SMUD requests a cost-benefit ratio analysis for the Sites Project sites and comparison with Raise Shasta Alternative. Include with the analysis the repayment allocation of project capital and O&M costs between project beneficiaries and the source of the funds to proceed with the project.

The EIS/R should include a detailed cost estimate and a cost-benefit analysis of each alternative. A more important factor should be the ability of the preferred project alternative to meet the program objectives. Costs should be distributed equitably among the beneficiaries in proportion to the benefits received. Improvement to the environment benefits the general public and should be funded by the general public.

Cumulative Impacts

In the Cumulative Impacts Section elaborate upon how the alternatives may affect power production and energy to the CVP or SWP. Also identify the mitigation for these impacts.

Assure that the EIS/R includes discussion and analysis of the future operation of the Trinity River Unit. Include in the document, how the re-operation of the Trinity River Unit will impact the proposed NDOS alternatives.

Mitigation Strategies

Ensure that mitigation measures to reduce adverse impacts to power generation are included in the document. The CALFED PEIS/EIR stated that the CALFED Program has no specific objectives for hydropower generation. However, the Program does seek to minimize impacts on hydropower generation, during and after CALFED implementation. The Program also seeks to minimize redirected impacts and to maintain linkage between the beneficiaries of actions and the costs of those actions. Given this direction, mitigation measures, to reduce adverse impacts to power generation, should be part of the document.

SMUD supports mitigation that will positively influence the ability of Western to continue to sell power at reasonable rates to the CVP Preference Power customers. Increases in CVP energy use costs should be avoided. If incurred they should be covered by revenue from CVP water users, natural resource agencies, and other environmental beneficiaries. Additional pumping costs should be assigned to the beneficiaries of the pumping.

Other Issues

Please identify the linkages of NDOS to the CALFED to the Water acquisition program.

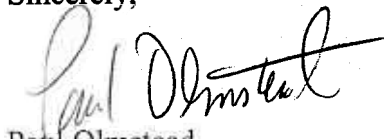
Conclusion

SMUD concurs with the philosophy that CALFED solution principles must reduce conflicts in the system, be equitable to all, be affordable, be long lasting, be implementable, and have no significant redirected impacts. Any new CALFED use of the CVP should be paid for by new generation or by the beneficiaries of the facilities at the current market rates, and not by depleting existing CVP resources.

SMUD desires that these comments are addressed so that the NDOS EIS/R is a legally sufficient document. The concerns of CVP Preference Power Customers need to be adequately addressed. To ensure that this occurs, a future meeting between this customer group and project proponents is requested.

If you have any comments or questions, please contact me at 916/732-5716.

Sincerely,



Paul Olmstead

Water & Power Resources Specialist

cc:

Nannette Engelbrite, WAPA
NCPA
Lowell Waltross, City of Redding

Bc:

Tom Ingwers
Brian Jobson
Ed Roman
Leslie Dunsworth



January 24, 2002

Scott D. Woodland P.E.
Senior Engineer W. R.
Department of Water Resources (DWR)
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Dear Mr. Woodland;

The Sacramento River Preservation Trust (Trust) would like to submit the following comments regarding the Notice of Preparation of an Environmental Impact Report/Statement (EIR/S) for the development of offstream water storage north of the Sacramento/San Joaquin Delta:

- The Trust believes that any development of alternatives must include, in addition to the associated programs listed in your scoping meetings announcement, a review of the Integrated Resources Management Program for Flood Control in the Colusa Basin.
- As part of the development of the Sites Reservoir Alternative, the Trust would like to see included a discussion focused on the potential removal of or modification to Black Butte Dam and Reservoir.

The Trust appreciates having the opportunity to comment and hereby requests that we be kept informed of all future actions concerning this project.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. L. Merz", written over a faint circular stamp.

John Merz
Chair, Board of Directors

Cc: Interested Parties

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double-sided printing.
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Brent Shanahan
Orland, Ca 95063

Scott Woodland
Senior Engineer
(916) 551-9289

Dear Mr. Woodland:

I live, work, and raise my family just under the proposed Thomas-Newville dam. I myself was raised in Elk Creek, not far from the proposed berm of that dam. That berm is located artificially in the middle of the valley due to serious concerns about the capability of the watershed to fill the dam and keep it full.

Construction of the dam would seriously distort every environmental and unique characteristic of this special area. The loss would be irreplaceable.

I strongly oppose the Thomas-Newville dam.

Sincerely,

Brent Shanahan

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double-sided printing.
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SHASTA COUNTY

BOARD OF SUPERVISORS

1815 Yuba Street, Suite 1
Redding, California 96001
(530) 225-5557
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DAVID A. KEHOE, DISTRICT 1
IRWIN FUST, DISTRICT 2
GLENN HAWES, DISTRICT 3
MOLLY WILSON, DISTRICT 4
PATRICIA A. "TRISH" CLARKE, DISTRICT 5

January 16, 2002

FPA 040508

Scott Woodland
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Subject: North-of-Delta Offstream Storage
Scoping Comments

Dear Mr. Woodland:

Thank you for hosting a Scoping Meeting for the Offstream Storage Investigation in Maxwell on January 9, 2002. It was well-attended, and the opportunity for community input on the scoping of the environmental documents was much appreciated. I was very pleased to see that we are taking tangible steps to improve the reliability of California's water supplies. In that same spirit of cooperation and progress, I would like to reiterate our key sentiments on this important issue.

Shasta County fully supports the Sites Reservoir Project. The last major improvements to the CVP and SWP were built forty years ago. A few reservoirs have since been built by individual water districts. However, overall resource development has been insufficient to meet California's new needs for water, power, flood protection and recreation. Additional storage will address this imbalance. Offstream storage can solve our water supply problems, with minimal environmental impacts. Clearly, this is a proposal whose time has come.

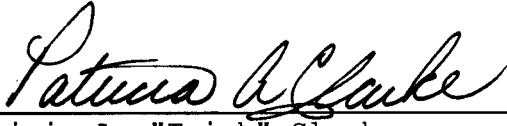
Decisions will be made and resources expended, based upon the environmental document. Consequently, it is imperative that we maintain an objective and scientific focus. All too often, the analyses of the 'No Action' and 'No Project' alternatives are too rosy. It is implied that somehow all of the people, animals, and ecosystems that would benefit from a proposed project will somehow manage without the project, and without redirecting impacts elsewhere. Conversely, every potential shortcoming that can be associated with a proposed project is overstated in elaborate detail. Such anti-action bias taints many an environmental document. Such documents lack credibility, and are of little use to decisionmakers. This pitfall should be avoided. The Sites Reservoir

North-of-Delta Offstream
Storage Scoping Comments
January 16, 2002
Page 2

Project should be fairly evaluated. The No Action alternative should be fairly evaluated. The two should be objectively compared. And then we should build the Sites Reservoir.

Again, thank you for the opportunity to comment. I look forward to further opportunities to champion this worthwhile project, as it moves forward.

Very truly yours,

A handwritten signature in cursive script, reading "Patricia A. Clarke". The signature is written in dark ink and is positioned above a horizontal line.

Patricia A. "Trish" Clarke
Supervisor District 5

PAC/EBW/jmg

State Water Contractors

455 Capitol Mall, Suite 220 • Sacramento, CA 95814-4409
John C. Coburn General Manager (916) 447-7357 • FAX 447-2734

February 8, 2002

Mr. Scott D. Woodland P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Dear Mr. Woodland:

This letter is to provide you with the comments of the State Water Contractors (SWC) on the scope of issues to be addressed in the Environmental Impact Report (EIR) on the North of Delta Offstream Storage (NODOS) project. The SWC represents 27 public agencies, which contract with the State Water Project for their water supplies, with a maximum collective Annual Table A Amounts of nearly 4.2 million acre-feet per year.

The SWC has been working with Sacramento Valley interests on a regional water management program that would help meet in-Valley needs as well as help the state and federal projects meet the requirements of the Bay-Delta Water Quality Control Plan ("Phase 8" negotiations). As part of our Settlement Agreement with the Sacramento Valley interests, we recognized that new offstream surface storage is an essential element of the program and can increase the reliability of water supplies for export water users as well as upstream interests.

In looking at the future water supply and demands of California's ever increasing population, the SWC believe:

- Additional surface storage is needed in the Sacramento Valley to serve both environmental and water supply purposes:
- The State's existing network of reservoirs and aqueducts is outdated, undersized, and inadequate to support the State's basic water needs in a sustained drought.

Directors

David B. Okita, President
Solano County Water Agency
Dan A. Masnada, Vice President
Central Coast Water Authority
Duane L. Georgeson, Secretary-Treasurer
Metropolitan Water District
of Southern California
Thomas N. Clark
Kern County Water Agency
Thomas R. Hurlbutt
Tulare Lake Basin Water Storage District
Thomas E. Levy
Coachella Valley Water District
Robert C. Sagehorn
Castaic Lake Water Agency
Wallace G. Spinarski
Antelope Valley-East Kern Water Agency
Stanley M. Williams
Santa Clara Valley Water District

- Conservation and recycling programs alone cannot by themselves meet the growing needs of a population that has more than doubled since the system's major features were built 40 to 60 years ago.

Additional storage is also needed to address new environmental protection measures, which have increased demands on the system and reduced operational flexibility.

Scientists are predicting a reduced snowpack due to global warming, suggesting that augmented surface storage capacity is necessary in order to offset the reduced natural storage in the snowpack.

For all these reasons, the CALFED Record of Decision properly found the need to expand surface storage capacity in the state's system, and committed to study the Sites Reservoir in the Sacramento Valley as one possible location for new offstream storage.

Alternatives to be Considered

The NODOS EIR should accordingly limit its scope and alternatives considered to the Sites location and any other feasible offstream storage sites in the Sacramento Valley.

Definition of Future Conditions Without Offstream Storage

Last year, the first dry year after a string of six wet or above normal years, the State Water Project contractors received a water supply allocation of only 39 percent. If not addressed soon, this low level of supply reliability will begin to have serious adverse economic consequences up and down the State. The No Action Alternative must analyze the economic consequences of continued water supply shortages in the absence of new surface storage.

Focus of Impact Assessment

New offstream storage in the Sacramento Valley will provide considerable environmental benefits. The Sites Reservoir could provide the following environmental benefits:

- Improved water temperatures for fisheries in the Sacramento River below Shasta Lake
- Increased supplies and system flexibility in support of state and federal efforts to improve fisheries of the Sacramento River, including the Environmental Water Account

Reduced exposure of juvenile fish to diversions

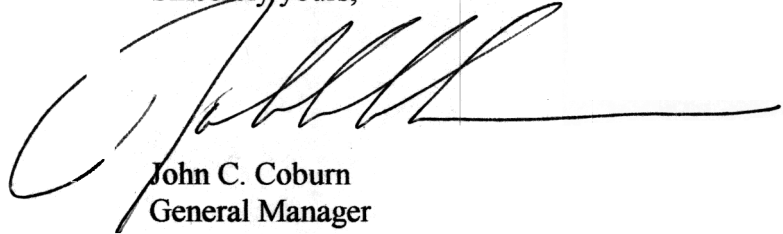
- Greater ability to emulate the natural flow regime of the Sacramento River

Mr. Scott D. Woodland P.E.
February 8, 2002
Page 3

The EIR must analyze these environmental benefits as well as the water supply benefits likely to result from Sites Reservoir or any other Sacramento Valley offstream storage project.

Thank you for considering these comments. Please add us to your mailing list to receive future announcements and information pertaining to this project.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'John C. Coburn', with a long horizontal line extending to the right.

John C. Coburn
General Manager

Xc: SWC Member Agencies
Thomas Hannigan, Director, Department of Water Resources

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double-sided printing.
No text is missing from the report.



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825

Scott D. Woodland P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

FEB 05 2002

Dear Mr. Woodland:

We are responding to your Notice of Preparation (NOP) on the North of the Delta Offstream Storage Project. We have also reviewed the North of Delta Offstream Storage Investigation (NDOSI) Progress Report. We are using this opportunity to participate in the scoping process for this project on three significant issues: (1) significant environmental issues which should be addressed in the document (2) alternatives that should be considered in the document (3) parties who should participate as cooperating agencies in the development of the document.

Indian lands held in trust, whether for tribes or individual Indians, are a trust asset. The United States must protect and manage those resources in a manner consistent with their highest and best use. Such fiduciary responsibilities of the trustee include management of the land in an income producing manner. Under most circumstances, such management would include the delivery of sufficient water to implement those uses. We note that the proposed EIR/EIS tiers from the original CALFED EIS/EIR. During the original CALFED EIS/EIR, we repeatedly voiced concerns over the extent to which proposed actions would significantly impact resources held in trust for Indians by the United States and the extent to which the Bureau of Reclamation was fulfilling its fiduciary responsibilities to American Indians.

Consistent with the President's April 29, 1994, Memorandum, Government-to-Government Relations with Native American Tribal Governments, CALFED Agencies committed to assess the impact of CALFED project-specific plans and activities on tribal trust resources and tribal government rights and concerns. Consistent with the Presidential Memorandum, CALFED Agencies committed to consulting with tribes on a government-to-government basis prior to taking actions that affect such tribal governments. We anticipate following the government-to-government tribal consultation process for the NDOSI EIR/EIS with great interest.

We have the following specific comments:

- (1) Review of the CALFED EIS – Indian Trust Assets 7.15.4 Assessment Methods provided the following quotation “Identifying specific Indian trust assets is the first action to determine whether an undertaking will affect trust assets. Project planners will examine

areas of potential effect for possible conflict with Indian land and Indian Trust Assets.” Enclosed is a recently prepared map showing project areas and trust lands to aid in this assessment.

We believe that the proposed document should determine Indian water supply needs for trust lands as a more accurate means of determining effects to trust resources. With a determination of Indian needs for the trust lands, decision makers may more easily make a determination as to whether aspects of the project will have an effect, whether beneficial or adverse. Additionally, such a document will be essential to a meaningful tribal consultation process.

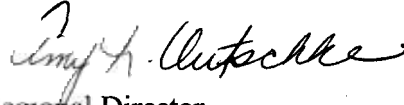
- (2) Review of NDOSI Progress Report, Appendix H: Water Exchange Element – Short and Long Term Relationships raised the issue of the effects of water contracts on trust resources. The EIR/EIS should address the critical element of whether commitment of water to purveyors would hinder the ability of Tribes to acquire water or participate in contractual arrangements, and therefore diminish the value of the land or potential uses of the land held in trust.
- (3) Review of NDOSI Progress Report, Appendix I, Water Supply Operations Studies raised the following issue with regard to potential water supply diversion. Determinations regarding instream flow requirements and diversion schemes should include consideration of tribal trust resources. We question whether regulatory instream flow or irrigation delivery requirements are predicted to change within the next 50 years. These potential changes in instream flow would affect Indian trust riparian and reserved water rights. In particular, future water needs for Indian lands may not be met due to regulatory instream flow requirements. We recommend that the proposed EIR/EIS include development of a water supply investigation for the Indian lands and that this water supply investigation be based on an assessment of agricultural lands and potential beneficial uses.
- (4) We are also concerned that actions that alter or decrease flows within riverine systems and their tributaries, may adversely affect trust resources. Further, out-of-basin transfers or diversions may contribute to reduction in groundwater recharge with associated water level drops and supply decreases. We therefore believe it is critical to conduct baseline studies to assess current hydrologic and geohydrologic conditions for all tribal trust lands in the northern Sacramento Valley. Conducting water assessments such as these are positive actions toward responsible protection and preservation of the trust.

Regarding alternatives to be considered, we note that the Sites Reservoir Alternative explicitly includes the possibility of enlarged capacity for the Glenn-Colusa and Tehama-Colusa Canals. We are requesting that the enlarged capacity alternative incorporate irrigation outlets that will enable Indian trust lands to acquire water from these canals.

Finally, we are interested in participating as a cooperating agency in the development of the North of Delta Offstream Storage Environmental Impact Report (EIR)/Environmental Impact Statement (EIS). We also believe that the commitment to a government-to-government consultation process would appear to provide for tribal cooperating agency status, at tribal request.

Questions on our comments can be directed to Mr. William Allan, Regional Environmental Protection Specialist, at (916) 978-6043 or Mr. Dale Morris, Natural Resources Officer, at (916) 978-6051.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy H. Cluttschke".

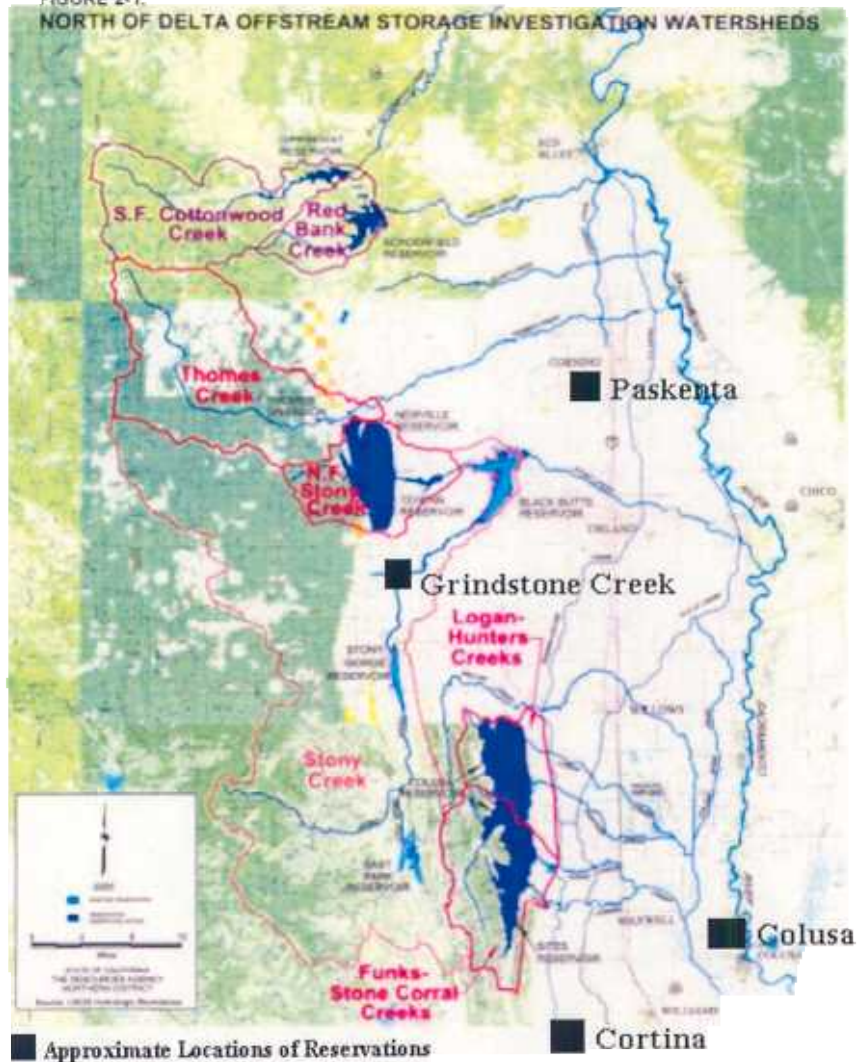
Acting Regional Director

Enclosure

cc: Superintendent, Central California Agency
Regional Director, Bureau of Reclamation
Director, Office of Trust Responsibilities, BIA
Director, Land and Water Resources, BIA

FIGURE 2-1.

NORTH OF DELTA OFFSTREAM STORAGE INVESTIGATION WATERSHEDS





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

February 15, 2002

Frank Michny
Regional Environmental Officer
Bureau of Reclamation
Mid-Pacific Regional Office
Attn: Donna Garcia
2800 Cottage Way
Sacramento, CA 95825

Dear Mr. Michny:

The Environmental Protection Agency (EPA) has reviewed the Notice of Intent to prepare an environmental impact statement for **North of the Delta Offstream Storage, California**. Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The Bureau of Reclamation (Reclamation) and California Department of Water Resources (DWR) propose to prepare a joint environmental impact statement/environmental impact report (EIS) for the North of the Delta Offstream Storage project (NDOS). The NDOS will evaluate potential surface storage projects north of the Delta in the Sacramento Valley watershed. Possible NDOS alternatives include No Action (present condition), No Action (future condition), Sites Reservoir, Newville Reservoir, conjunctive use, and enlarged Shasta Dam.

Roughly three-quarters of California's runoff occurs north of Sacramento, while about three-quarters of California's water is used south of Sacramento. This imbalance in the location of water supply and demand has placed continual pressure on Sacramento Valley watersheds. The CALFED Bay-Delta Program, a cooperative, interagency effort, included expanding water storage capacity as an aspect of the Preferred Program Alternative. The objectives for north of the Delta offstream storage include enhanced water management flexibility, reduced Sacramento River diversions during critical fish migration periods, increased supply reliability, and storage and operational benefits for other CALFED programs such as Delta water quality and the Environmental Water Account. North of Delta offstream storage (Sites Reservoir, or alternatives) is one of two offstream storage proposals identified in the CALFED Record of Decision (ROD) for further study before a decision can be made to implement the project as part of CALFED. The ROD explains that this determination would hinge on technical studies, environmental review, and developing cost share agreements (ROD, pages 43 and 45). We anticipate that the documentation developed through this EIS will substantially contribute to making a determination on whether the proposed project will be implemented as part of CALFED.

EPA advocates an approach to water supply allocation and project operations which can adjust to changing conditions and help balance available water supplies, ecosystem health (e.g., in-stream beneficial uses), and user requirements. We firmly believe that in the long term, water supply actions should focus on sustainable management of developed supplies to meet these objectives.

Efficient use of existing water supplies should be maximized through conservation, reuse, and pollution prevention as construction of new storage is being considered. To minimize conflict and potential water shortages, we urge Reclamation and DWR to employ all available tools for enhancing water management flexibility, supply reliability, environmental conditions, and water quality. These tools could include not only storage but water transfers and exchanges, pricing, operational flexibility, market-based incentives for efficient water use, water acquisition, conjunctive use, voluntary land fallowing, and wastewater reclamation and recycling. Alternatives considered in the EIS should evaluate an integrated range of these tools, taking into account actions which are, or can be, implemented through other programs. Consistent with CALFED water management principles, we believe that any new storage should enhance the commitment to, and effectiveness of, environmentally beneficial and “efficient” use of existing and new water supplies.

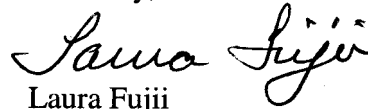
As our detailed scoping comments (enclosed) indicate, the EIS should provide a full evaluation of the potential direct, indirect and cumulative impacts of water storage and conveyance operations, and major diversions from the Sacramento River and affected tributaries. Among other topics, the EIS should include potential impacts to riverine and Bay-Delta beneficial uses, riverine geofluvial processes, drinking water sources and systems (e.g., Contra Costa Water District’s use of Delta water), groundwater, water quality, and sensitive resources such as endangered species.

Allocation of any new water supply among users is another critical matter which should be considered in the EIS. We believe the evaluation should discuss who might receive the supply improvements; how, when, and at what cost, using a calculation which discloses and incorporates full mitigation costs. Explain any gains in supply reliability for users. As described in our detailed scoping comments, we recommend that the EIS include an economic analysis showing willingness-to-pay for water priced on a “beneficiaries pay” basis. The EIS should also document potential multiple uses and benefits of water use, such as agricultural water use which supports valuable wildlife habitat.

As stated in the Notice of Intent, there are a number of associated programs underway in the Sacramento Valley. The EIS should clearly describe the history, chronology, and relationship of these various planning efforts and associated programs. In particular, explain relationships to activities such as the Phase 8 Settlement Agreement in which some north of Delta offstream storage partners have key involvement. Also describe relationships to programs with which CALFED is coordinating, such as the Sacramento and San Joaquin River Comprehensive Study.

We appreciate the opportunity to review this NOI. Detailed scoping comments are enclosed for your use. Please send three (3) copies of the Draft EIS to this office at the same time it is officially filed with our HQ Office of Federal Activities. If you have any questions, please call me at 415-972-3852, or Carolyn Yale at 415-972-3482.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura Fujii".

Laura Fujii
Federal Activities Office
Region 9 EPA

File: northdeltanoi

Main ID# 003822

Enclosure: Detailed Comments

cc: Scott Woodland, DWR
Steve Thompson and Wayne White, USFWS, Sacramento
US COE, Sacramento
Pat Port, DOI
Jim Bybee, NMFS
Mary Nichols, California Resources Agency
RWQCB, Central Valley Region, Sacramento and Redding Offices
Patrick Wright, CALFED
Jim White, CDFG

Detailed Scoping Comments

Water Management

1. As the Notice of Intent (NOI) acknowledges, the proposed project is being planned in the context of the CALFED Program (Programmatic EIS and Record of Decision (ROD)), which identified potential beneficial functions of north of Delta offstream storage. At the same time, the CALFED Program is premised on balanced implementation of all Program elements; including ecosystem restoration, expanded storage and conveyance, and water use efficiency. Thus, from the perspective of the CALFED Program, additional diversions and storage should be built only in the context of, and consistent with, efficient and environmentally protective use of developed and new supplies.

The EIS for the proposed north of Delta offstream storage should explain in detail the relationships between expanded storage and the objectives cited in the NOI, which were derived from the CALFED Program ROD. Explain, for example, how the alternatives under consideration would improve water supply reliability, management flexibility, and storage and operational benefits for purposes such as water quality and fish protection. Further, provide information on the post-ROD implementation of other CALFED programs addressing these objectives, particularly programs related to water supply management (water use efficiency, the conjunctive use program, water transfers). Document involvement of potential north of Delta storage participants in these related programs.

2. Describe potential operational relationships of the north of Delta offstream storage alternatives to other storage and conveyance facilities in the system. Characterize the objectives of operational changes that might be introduced with additional storage and describe anticipated impacts (beneficial and adverse).

3. Describe potential changes (and associated impacts) in the amount and reliability of Delta exports, relative to clearly defined "without project" conditions in the South Delta. With reference to the NEPA "without project" (no action) scenario for future conditions, clearly state assumptions regarding CALFED implementation, particularly "South Delta Improvements" and related regulatory compliance.

4. It is unclear from the NOI what the potential scope of project participants, or beneficiaries, within the Sacramento Valley, and beyond, may be. Within the Sacramento Valley, determining the geographic extent of participants in the proposed project is important, as water rights, surface and ground water sources, and supply reliability vary substantially. The EIS should describe the potential project participants both north and south of the Delta, and explain the basis for their involvement (for example, existing water rights, groundwater management authority, facilities operation, existing contractual arrangements with the SWP or CVP, market-based participation, and so forth).

Explain if some supplies made available through the proposed project might go to users under pre-project terms (for example, to CVP or SWP contractors under existing contract terms regarding contract quantity, price, and so forth).

5. We recommend the EIS contain a section that clearly describes the water rights law applicable to the proposed project and parties potentially involved in the project. For example, provide background information on existing water rights and allocation within the Sacramento Valley project area, including area of origin issues. Also explain the current State Water Resources Control Board requirements for meeting Bay-Delta water quality standards under D1641 and the issues associated with Condition 20. Clarify how implementation of D1641 affects CVP and SWP water contractors, with particular reference to Condition 20, and the recent Phase 8 Settlement Agreement.

Water Pricing

1. The CALFED Program ROD endorses a general principle that beneficiaries should pay the costs of Program activities such as water supply improvements. This reinforces fairness and recognizes the need to encourage water use efficiency and reflect the true cost of developing new supplies. Thus, project water-- particularly any newly developed supplies-- should not be underpriced. For the north of Delta offstream storage proposal, the EIS should document the full cost (including environmental and other mitigation) of providing water benefits and explain how these costs can be allocated among parties, according to explicit criteria. Explain if any CVP contractors may receive "ability-to-pay" relief for water made available through the project. If applicable, the EIS should also fully evaluate application of the Bureau of Reclamation's ability-to-pay policy and the Reclamation's ability to ensure full project repayment.

It has been demonstrated over the last decade that variable pricing of water can significantly influence water demand and supply. The EIS should include an in-depth discussion of how pricing can be used in allocation of the new water supply and management of user's demands.

2. The EIS should provide comparative information on the costs of producing benefits under the various alternatives, distinguishing discrete features of an alternative (such as surface versus ground water supplies, and conveyance facilities costs) where possible. Identify the total cost and costs allocated to water users under the various alternatives. Also provide comparative information on the costs and benefits of non-storage measures which serve water management objectives, including conservation and water acquired through transfers. With respect to environmental benefits and costs, such as environmental water, document benefits and clearly identify the magnitude and allocation (or incidence) of the costs for all alternatives, including no action.

Water Conservation

1. Provide background on the CALFED Water Use Efficiency Program as it applies to the Sacramento Valley project area and others who may participate in the proposed project, identifying the quantifiable objectives which CALFED has identified for these areas. Also identify the current status of water conservation planning and practices in beneficiary areas, using the CALFED Program ROD commitments and subsequent implementation activities as a frame of reference.
2. Identify current practices in the project area(s) for measuring surface and ground water use. Proposed project alternatives should evaluate one or more methods of measurement that will provide comprehensive and suitably accurate tracking of water use and efficiencies.

Groundwater

1. The EIS should fully document groundwater conditions and describe how, when, and by whom groundwater is used throughout the project area. Include information on groundwater levels and quality, identifying any long-term changes for with-project and without-project conditions. Identify information gaps, such as lack of direct groundwater measurements. Identify any existing conjunctive use of groundwater and surface water. Where applicable, the EIS should document in alternatives the relationship between current surface supplies, the proposed project surface supply, and groundwater. Explain if there is potential for additional managed conjunctive use of groundwater and surface supplies in the area in two contexts: with, and without, additional surface storage.
2. In considering conjunctive use of groundwater and surface water supplies in the project alternatives, the EIS should describe the specific objectives, requirements, and suitable locations for conjunctive use so that potential impacts can be fully evaluated. Analyze any water quality impacts to surface or groundwater associated with a proposed conjunctive use program. Document any changes in basin water balance, including amounts of seepage and return flows, and possible effects on the quantity, timing, and quality of water available. Analyze the potential for third party impacts under a conjunctive use program and, if impacts could occur, evaluate ways of avoiding or mitigating them.

Biological Resources

1. The EIS should evaluate direct, indirect, and cumulative impacts to fish and wildlife at the proposed new storage locations, in association with diversions and conveyance facilities, and in affected rivers and the Delta. This evaluation should “follow the impacts” and examine the impacts that may extend beyond the immediate location of the new storage facilities. Describe the potential timing and magnitude of diversions to offstream storage. What are the effects of diversions on instream flows from the perspective of aquatic life and geo-fluvial processes?

What changes in quantity, timing, and quality of instream flows might occur under the alternatives?

2. The EIS should evaluate environmental requirements which affect flows - notably the Endangered Species Act and Clean Water Act. As implemented through the SWRCB, consider flows, temperature needs, seasonality, and other water quality components and factors of critical importance to threatened and endangered species or other sensitive beneficial uses. Identify any ways in which water managed through the proposed project might be used for environmental compliance.
3. We also recommend the EIS evaluate the ability of the project to restore or enhance fish and wildlife habitat and wetlands which may have been affected by water diversions and by changes in flows, timing, and water quality as a result of earlier water supply development.
4. Describe the potential relationships of the proposed project to CALFED efforts to secure environmental water to enhance instream flows upstream of the Delta and improve conditions in the Delta for fish. Identify any supplies or operational measures stemming from the proposed project that would serve these environmental purposes. Identify the degree of improvement under the various action alternatives relative to the existing and future "without project" conditions. Also document environmental conditions with the proposed storage features, but absent measures to provide environmental water. Estimate the cost of the environmental water increment and discuss which parties might pay this cost.
5. Describe the relationship between the proposed project and other programs supporting restoration of Central Valley and Bay-Delta ecosystems. This includes CVPIA water dedication; environmental water purchases; pro-fisheries operations in the Delta and on affected rivers, notably the Sacramento; implementation of CALFED Ecosystem Restoration Program actions; and activities of nongovernment organizations such as the Central Valley Habitat Joint Venture, which targets protection and restoration of waterfowl habitat.

Water Quality

1. Potential impacts of the proposed alternatives on surface and groundwater quality should be fully evaluated in the EIS. Discuss water quality currently documented for waters within the project area, including agricultural drainage and return flows. Identify conditions which impair beneficial water use, such as pesticides and salinity. Evaluate the alternatives with respect to their impacts (beneficial or adverse) on designated beneficial uses. [Contact the Central Valley Regional Water Quality Control Board or U.S. EPA for additional guidance on these topics.]
2. Identify sensitive aquatic sites such as wetlands which are currently present and disclose potential impacts from the proposed action.

3. Discuss specific monitoring programs that are in place or will be implemented to determine potential impacts on surface, groundwater, and drinking water quality and beneficial uses. Identify responses to remedy detected impacts so that adequate water quality can be guaranteed.

Wetlands: Section 404 of the CWA

The EIS should identify impacts to water, flood plains, and wetlands, including identification of Section 404 Clean Water Act (CWA) requirements, and management and mitigation proposals to ensure compliance with these requirements.

EPA will review proposed new water storage facilities for compliance with the Federal Guidelines for Specification of Disposal Sites for Dredged or Fill Materials (40 CFR 230) [hereafter referred to as the Guidelines], promulgated pursuant to Section 404(b)(1) of the Clean Water Act (CWA). To comply with the Guidelines, the proposed actions must meet all of the following criteria:

- There is no practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem (40 CFR 230.10(a)).
- The proposed action does not violate State water quality standards, toxic effluent standards, or jeopardize the continued existence of federally listed species or their critical habitat (40 CFR 230.10(b)).
- The proposed action will not cause or contribute to significant degradation of waters of the United States, including wetlands (40 CFR 230.10(c)). Significant degradation includes loss of fish and wildlife habitat, including cumulative losses.
- All appropriate and practicable steps are taken to minimize adverse impacts on the aquatic ecosystem (i.e., mitigation) (40 CFR 230.10(d)). This includes incorporation of all appropriate and practicable compensation measures for unavoidable losses to waters of the United States, including wetlands. The EIS should fully address the feasibility of "in-kind" habitat mitigation measures.

Air Quality

1. The EIS should provide a detailed discussion of air quality standards, ambient conditions, and potential air quality impacts, for the region. Include a description of current and proposed activities and their impacts on air quality. Cumulative and indirect impacts should be fully evaluated. For instance, development or modified use of surrounding lands (e.g., conversion to urban, different cropping patterns) could influence sources of PM10.

2. Federal agencies are required by the Clean Air Act to assure that actions conform to an approved air quality implementation plan. If the proposed project area is in a nonattainment area, Reclamation may need to demonstrate compliance with general conformity requirements of the Clean Air Act [Section 176(c)]. General Conformity Regulations can be found in 40 CFR Parts 51 and 93 (58 Federal Register, page 63214, November 30, 1993). These regulations should be examined for applicability to the proposed actions.

3. EPA issued revised standards for ozone and small particulate matter (PM_{2.5})(smog and soot) in July 1997. Implementation of these standards are pending the designation of nonattainment areas and development of specific regulatory requirements. The adverse health effects of ozone and PM_{2.5} are well known. Thus, we believe the EIS should evaluate the extent that the proposed project may release significant amounts of these pollutants. We recommend the Air Quality section of the "Affected Environment" chapter, include a description of the new ozone and PM_{2.5} standards, their health effects, and disclose what, if any, monitoring has been done in the project area for these pollutants. Possible sources that may contribute to high levels of ozone and PM_{2.5} emissions include construction equipment, mobile sources, and high volumes of diesel truck traffic.

General NEPA Comments

1. We recommend the EIS include a clear description of the basic project purpose and need, project alternatives, potential impacts to the environment, and mitigation for these impacts. Particular attention should focus on an evaluation of the environmental impacts of the proposal and alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options for the decision maker and the public (40 CFR 1502.14). The EIS should clearly describe existing resource conditions in the "affected environment" and the policy and institutional context for the "no action" (without project) and with project alternatives. For example, the EIS should describe current and historical litigation, tentative agreements, and the underlying assumptions, water rights, and legal mandates (if any) of the proposed new water supply and alternatives.

2. Full disclosure of cumulative and indirect impacts is of specific concern. NEPA requires evaluation of indirect impacts which are caused by the action (40 CFR 1508.8(b)). Indirect effects may include "growth-inducing effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems." (40 CFR 1508.9(b)). CEQ regulations also state that the EIS should include the "means to mitigate adverse environmental effects." (40 CFR 1502.16(h)). This provision applies to indirect effects as well as direct effects. Increased rates of growth for residential, commercial and industrial purposes, indirectly caused by the project, constitute indirect effects and should be evaluated in the EIS. Induced residential, commercial, and industrial growth can adversely affect water quality, wetlands, and other natural resources. These types of indirect effects and appropriate mitigation measures should be fully disclosed in the EIS.

3. The EIS should adequately document cumulative impacts; including past, present and reasonably foreseeable actions. Past cumulative effects may have greatly influenced the “existing conditions” which should be documented in the EIS and adverse impacts which may be perpetuated under the no action and action alternatives.

4. NEPA requires evaluation of reasonable alternatives not within the jurisdiction of the lead agency (40 CFR Section 1502.14(c)). Furthermore, there should be a clear discussion of the reasons for the elimination of alternatives which were not evaluated in detail.

5. The selection of the No Action alternative is a critical step in the environmental analysis since it provides the baseline for comparison with other action alternatives. It is EPA’s position that “no action” does not equate with “no impact.” Continuation of the existing management situation would constitute a discretionary commitment of resources that is, effectively, an action affecting the environment. The alternatives analysis of the EIS should portray the environmental consequences of every alternative...” in comparative form, thus sharply defining the issues and providing a clear basis for choice among options for the decision maker and the public.” (40 CFR Part 1502.14).

6. The relationship of the proposed alternatives to previous or parallel environmental review actions (e.g., the CALFED PEIS and supporting technical documents; other proposals from the Bureau of Reclamation or Department of Water Resources, or other entities) should be clearly described.

7. In keeping with Executive Order 12898, **Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (EO 12898), the EIS should describe the measures taken by Reclamation to: 1) fully analyze the environmental effects of the proposed Federal action on minority communities, e.g. low-income populations, and 2) present opportunities for affected communities to provide input into the NEPA process. The intent and requirements of EO 12898 are clearly illustrated in the President's February 11, 1994 Memorandum for the Heads of all Departments and Agencies.

8. If references to previous documents are used, the EIS should provide a summary of critical issues, assumptions, and decisions complete enough to stand alone without depending upon continued referencing of the other documents.

2-8-02
Chrome

did not have enough notification to write all the reasons I oppose the Thomas-Newville dam,

I have faxed you this copy of a short book my mother wrote in 1981. It covers a variety of those reasons I oppose. I realize that the State needs more water storage but feel there must be a better choice than Thomas-Newville.

The very old historic cemeteries, Indian burial grounds, old pioneer one room School houses are important parts of our heritage and past. As is the vanishing way of life of the cowboy.

My children are the seventh generation to live on our family ranch just North of Chrome

Please consider these points as you examine the choices.

Thank You

Gymie Wolcott

12.

Spring is almost over. The last of the wild flowers, the most treasured of all, the blue Larkspur, and yellow Mariposa Lilies, nod above the now almost dry grass. They are thick above the graves in the cemetery; a natural memorial to our past.

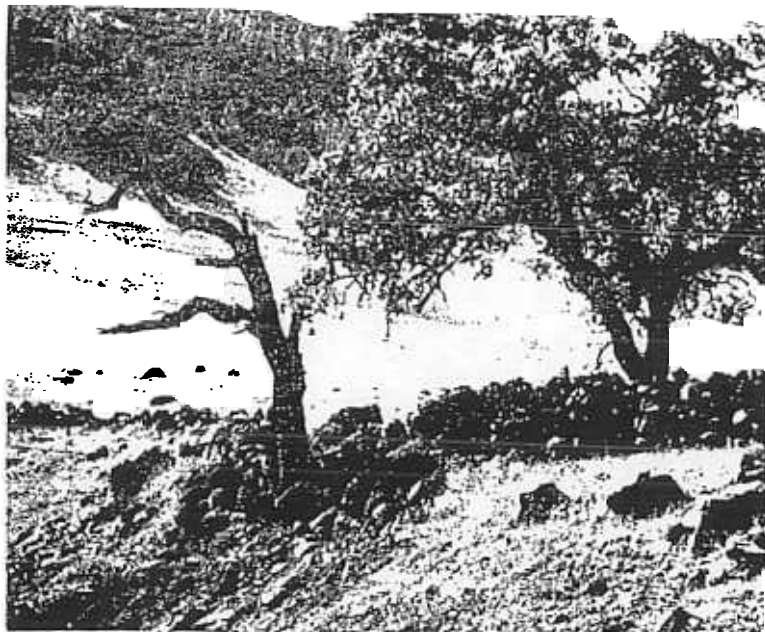


THE SEASONS HAVE PASSED

Author

CAROL FAY
April 1981





It's summer in the Chrome region. To the stranger passing through, it might look to be a hot, desolate, unpopulated area. Look again, stranger; look at one of the few clear blue skies left in our state. Watch the lazy hawk as he circles and dips above the banks of "Heifercamp Creek." Maybe this afternoon his dinner will be a fat shing squirrel, sitting in front of his borough, or perhaps silver minnows swimming in a squadron up the clear waters of this stream. If he is brave, it could be a rattlesnake, stretched in the shade of a lone Buckeye Tree. He is lonely, yes, like we of this community seem to the stranger, but he has freedom, which it seems we are soon to relinquish.

While you are on the banks of "Heifercamp" on this hot, summer afternoon, take a deep breath. There is nothing but clean, clear air, with the mingled scents of the pungant tarweed, a native summer plant, and the moist creek smell of moss, oak leaves, and dry grasses. A gentle breeze carries the sound of the Mourning Dove, which is native to this area. Killdeer, in their black, tan, and white uniforms, march along the banks, and deer are standing in the dense shade of the many oaks surrounding the area.

Quietly travel on up the trail past the picturesque old house nestled beside the stream. This is where one of the great, great uncles lived and raised his family. We try to imagine the pride he must have felt when the home, surrounded by abundant grassland for his livestock, was completed.

Now we move on up to the cool, deep, shadowed canyon where the stream begins. If we are extremely quiet, we might catch a glimpse of a Mountain Lion, or Bob-Cat, and since Bear sign is all around in this area, perhaps even a Bear. Then, soaring high above the canyon walls, the Bald Eagle.



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Feb. 8, 2002

We respectfully request that you consider the loss in ecological, archeological, and historical treasure that would occur should the Thomes-Newville reservoir be built. Also the aesthetic value of that area. There are too few places untouched in our state.

As your studies have revealed this area is rich in both wildlife such as mountain lion, bear, deer migration, bobcat, coyote, wild turkey, wild pig, and many smaller species. Bird life is abundant including ducks and geese. There are many endangered plants among one of the most beautiful wild flower tours imaginable. In this age of stress I believe there is great value in simple spots of beauty and there are many sight seers traveling through that area particularly in the spring.

My great grandmother told me many stories of the Native Americans that lived in that region when she was a child. There are many "Indian Mounds" as we called them in that area. What would happen to these?

Sentimentally, words cannot describe how devastating it would be to see the land where seven generations of my family have been raised be put under water along with the Millsaps and Newville cemeteries where all of our families are buried.

Thank you,
Carol Lederer

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